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JOURNAL OF

SOCIAL SCIENCE,

CONTAINING THE

PROCEEDINGS OF THE AMERICAN ASSOCIATION.

NUMBER XXXVIII. DECEMBER, 1900.

WASHINGTON PAPERS OF 1900.

PAPERS READ IN THE DEPARTMENTS OF EDUCATION, HEALTH, JURISPRUDENCE, FINANCE, AND SOCIAL ECONOMY, WITH STENOGRAPHIC NOTES OF DEBATES.

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PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

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1900.

EDITED BY

FREDERICK STANLEY ROOT, M.A.

GENERAL SECRETARY OF THE ASSOCIATION, 129 EAST 15TH STREET,
NEW YORK CITY.

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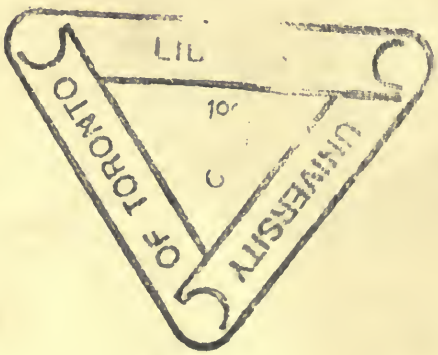

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INTRODUCTION.

The papers included in this number of the *Journal of Social Science* comprise nearly all of the Washington addresses of 1900. The debates, which followed the reading of papers, are stenographically reported; but, owing to the large amount of matter thus supplied to the editor, a considerable reduction in quantity was necessitated by the space limitations of the present volume. This stenographic matter has been revised either by the editor or by the contributor to the discussion, and fairly represents, in substance, the opinions of the participants in the debate.

It may be well in this place to remind essayists once more of the *invariable rule* of the Association, that all papers engaged for the General Meeting are so secured with the understanding that they may be published in the *Journal* if deemed advisable. The members of the Council, however, are not pledged in advance to the publication of any particular paper. If writers choose to publish elsewhere, it must be with the stipulation that their papers may also be printed in the *Journal*, at the option of the Council as to date of publication. Heads of Departments are not solicitous to secure essays which, in general form and substance, have been read elsewhere before presentation at Washington.

A list of all addresses and papers will be found in the Table of Contents on page iii.

MEMBERS OF THE ASSOCIATION.

All officers are *ex-officio* members of the Association; but persons serving on the Department Committees may or may not be members of the Association. In view of the fact that Department Committees are greatly in need of reorganization upon a basis of *active participation* in the work of the Association, the General Secretary deems it wise to omit the list until such organization is deemed advisable. This, of course, is exclusive of *Heads of Departments* whose names appear in the list of the officers of the Association.

In the list herewith submitted the annual and life members are given alphabetically, and the honorary and corresponding members according to nationality. The only distinction between honorary and corresponding members is that the former reside in the United States, and the latter in foreign countries. According to a minute enacted by the General Council, Dec. 17, 1897, the name of any member who has not paid his dues for the three calendar years next preceding the date adopted — March 1, 1898 — shall be stricken from the rolls. It was also voted at this meeting that the *Journal* of the Association shall not be sent to any member who has not paid his dues for the year in which the convention is held which is reported in the *Journal*. It was subsequently voted at a council meeting held at Woodmont, Conn., July 6, 1898, that the General Secretary be permitted to use his discretion in carrying into effect these resolutions.

BUSINESS OF 1900.

The American Social Science Association held its Thirty-eighth Annual Meeting at Washington, D.C., beginning Monday evening, May 7, and closing with the session of Friday morning, May 11. Although for many years the Association had met in Saratoga, and the migration to Washington was looked upon as something of an experiment, the result was considered sufficiently encouraging to make it worth while to vote to repeat the visit in 1901. The proceedings of the convention of 1900 were held in the large Hall of Columbian University, kindly placed at our disposal by the Faculty of that Institution; and a good degree of interest was manifested in the various suggestive papers offered. Owing to illness, President Warner could not attend; and his paper was read by the Rev. Joseph Anderson, D.D., of Waterbury, Conn. This paper, on "The Education of the Negro," commanded extended notice throughout the country, and doubtless, had the eminent author lived, would have been followed by other contributions in similar vein.

The General Meeting of the Association convened at 8.15 Monday evening, and was called to order by the Hon. F. J. Kingsbury, LL.D., who presided throughout subsequent general sessions in place of Mr. Warner. The Rev. E. M. Gallaudet, LL.D., of Washington, gave a brief address of welcome; and he was immediately followed by the Rev. Joseph Anderson, D.D., who read President Warner's essay. Prior to the adjournment of the Association, acting President Kingsbury appointed a committee to bring in a list of officers for the ensuing year. That committee consisted of Dean Wayland, the Rev. Joseph Anderson, D.D., and Hon. Carroll D. Wright. At a subsequent meeting of the Association the list of officers as reported was adopted, and the names will be found on a succeeding page of the *Journal*.

One other General Business Session of the Association was held on Friday morning, May 11, at which the Nominating Com-

mittee made its report, followed by the tender of a vote of thanks from the Association to the authorities of Columbian University for many courtesies extended to members of the Association.

In addition to the general miscellaneous business above noted and transacted, a regular meeting of the Council of the Association was held on Wednesday afternoon at Hotel Gordon, the headquarters of the Association.

The minutes of the previous meeting were read and approved.

With reference to resolutions empowering the General Secretary to arrange with the Secretary of the Interior for use of room in Washington, the resolution was deemed impracticable; and the General Secretary was requested to communicate with Mr. Herbert Putnam, of the Congressional Library.

The Secretary then read to the Council a list of By-laws prepared by him in pursuance of vote authorizing such By-laws.

It was then *moved* by Dr. Daly that the present Constitution and By-laws submitted be adopted *provisionally*, excepting Article VI., and that a committee of three be appointed to revise Constitution and formulate By-laws to be considered and adopted by Council of the Association at the earliest opportunity. This was voted.

The committee named by President Kingsbury consisted of the Hon. S. E. Baldwin, Judge Wayland, and the General Secretary.

It was then

Voted, That the bills of the Association be paid by the Treasurer on presentation of vouchers approved by the President or first Vice-President and the General Secretary, and that the Treasurer shall send to the General Secretary at his request a list of delinquent members.

It was also

Voted, To re-elect the present General Secretary for the term of three years, as provided by the Constitution, and to allow him a salary of $500 per year until further notice, with an allowance not exceeding one hundred dollars for clerk hire and incidental expenses.

It was further

Voted, That the Association meet in Washington as near the middle of April, 1901, as possible; and the Secretary was empowered to secure the Hall of Columbia University at once for the General Session of 1901.

A vote was also passed requesting the Treasurer of the Association to deposit the funds of the Association with the United

States Trust Company of New York at the best rate of interest obtainable.

The Council then adjourned without date, having completed the immediate business for which it was called together.

FREDERICK STANLEY ROOT,
General Secretary.

BY-LAWS OF THE ASSOCIATION.

[NOTE.— At a meeting of the Council of the Association, held May 9, 1900, at Washington, a committee of three was appointed to revise Constitution and formulate By-laws to be considered and adopted by the Council at the earliest opportunity. That committee consisted of the Hon. S. E. Baldwin, the Hon. Francis Wayland, and the General Secretary.

At a subsequent meeting of the Council of the Association, held in New Haven, Conn., Oct. 12, 1900, this committee reported the following By-laws, which were *unanimously* adopted by the Council. Since the Constitution confers upon the Council power to enact its own By-laws, no further action by the Association is necessary.]

ARTICLE I.

ORDER OF BUSINESS.

The following order of business shall be observed at all meetings of the General Council of the Association: —

(*a*) Reading of minutes.
(*b*) Report of Treasurer.
(*c*) Report of General Secretary.
(*d*) Report of committees.
(*e*) Unfinished business.
(*f*) New business.

ARTICLE II.

QUORUM.

The quorum of the Council at all regular and special meetings shall consist of five members, of whom three shall be of the *ex-officio* members of the Council.

ARTICLE III.

VACANCIES.

SECTION 1. A committee shall be appointed on the first day of the general session of the Association to nominate officers, and such committee shall report upon the morning of the last day of the general session.

SECT. 2. The President may fill any vacancy occurring during the year in any office.

ARTICLE IV.

AMENDMENTS.

The By-laws of the Association may be altered, amended, or repealed by the Council at any meeting by a two-thirds vote of the members present.

ARTICLE V.

TREASURER.

SECTION 1. It shall be the duty of the Treasurer to forward bills for annual dues on the first day of January of each successive year, and to meet all bills for printing, publishing, salaries, etc., on presentation of vouchers approved by President or First Vice-President, and the General Secretary.

SECT. 2. No funds shall be set apart for permanent investment without vote of Council; and all funds so set apart may be invested by the Treasurer at his discretion.

SECT. 3. The President or First Vice-President may draw on the Treasurer in favor of the General Secretary at any time for such sums, not exceeding one hundred dollars at any one time, as the President or First Vice-President may deem necessary to meet any proper expenses incident to the management of the Association or the proceedings of the Committee on Elections to Membership.

ARTICLE VI.

PRINTING.

SECTION 1. The selection of papers for publication in the *Journal* shall be left with the President and General Secretary, the latter serving also as editor of the *Journal*, and with the Heads of Departments. The Chairman of each Department will indicate to the General Secretary what papers, in his judgment, are available for publication in the report of proceedings.

SECT. 2. It shall be the duty of the General Secretary to print and distribute such information concerning the objects and purposes of the Association as may be useful in securing new members.

SECT. 3. It shall be the duty of the General Secretary to publish and distribute a cloth-bound copy of the annual *Journal* of the Association to each member in accordance with provisions under article referring to *Memberships*. Each essayist will be entitled to 25 reprints of his paper at the expense of the Association, on condition that his application is placed on file prior to the printing of his paper.

SECT. 4. If, in the judgment of the Treasurer and General Secretary, the funds of the Association will not justify publication in cloth, the current edition of the *Journal* shall appear in paper. The uniform date of publication shall be within six months of the Annual Meeting of the Association. Distribution of the *Journal* shall be effected as soon thereafter as possible.

ARTICLE VII.

MEMBERSHIPS.

SECTION 1. [Legislation under this section deferred.]

SECT. 2. After initial payment of assessment fee, all members in arrearages for the next following fiscal year of the Association shall not be entitled to the *Journal*. Failure to remit annual dues for two consecutive years shall result

in loss of membership in the Association. The General Secretary, however, may exercise his discretion as to the application of this rule in given cases.

ARTICLE VIII.

SALARIES.

The General Secretary shall be paid the amount of his salary in quarterly instalments upon the first days of October, January, April, and July, respectively; and he shall draw upon the Treasurer at his discretion such sums as may be allotted by vote of Council for clerical assistance.

CONSTITUTION,

LIST OF OFFICERS, MEMBERS, ETC.

OF THE

American Social Science Association

DECEMBER, 1900.

CONSTITUTION.

I. This society shall be called the AMERICAN SOCIAL SCIENCE ASSOCIATION.

II. Its objects shall be classified in five departments: the first, of Education and Art; the second, of Health; the third, of Trade and Finance; the fourth, of Social Economy; the fifth, of Jurisprudence.

III. It shall be administered by a President, as many honorary Vice-Presidents as may be chosen, a Treasurer, a Secretary, and a Council, charged with general supervision; five Department Committees, established by the Council, charged with the supervision of their respective departments; and such Local Committees as may be established by the Council at different points, to serve as branch associations. *The Council shall consist of President, Treasurer, and Secretary, the Chairman and Secretary of each Department, and ten Directors, with power to fill vacancies and to make their own By-laws.* The President, Vice-Presidents, Treasurer, Chairman, and Secretaries of Departments, and Directors shall be chosen annually by members of the Association, and shall hold office till their successors are chosen. The President, or in his absence a Director, shall be chairman of the Council. The Chairmen of the Local Committees shall be chosen at the pleasure of their respective committees. Whenever a Branch Association shall be organized and recognized as such by the Council, its President shall be *ex officio* one of the Vice-Presidents of the American Association, and, together with the Secretary and Treasurer, shall be entitled to all the privileges of membership in that Association. And, whenever a Local Department shall be organized and recognized as such by the Council, its Chairman shall become *ex officio* a member of the parent Association. The Chairman and Secretary of each Department, with the consent of the President of the Association, may appoint such special Department Committees as they may think best. The General Secretary shall be elected for three years, unless he resigns, or is removed by a two-thirds vote of the members present and voting in a regular meeting of the Council; and out of his compensation he may pay the salary of an Assistant Secretary, who may also be Secretary of one Department.

IV. Any person, upon nomination by the Council, may become a member by paying five dollars, and may continue a member by paying annually such further sum as may be fixed at the Annual Meeting, not exceeding ten dollars. On payment of one hundred dollars, any person may become a life member exempt from assessments. Honorary and corresponding members may be elected, and exempted from the payment of assessments.

V. The Council shall have sole power to call and conduct General Meetings, and to publish the Transactions and other documents of the Association. The Department Committee shall have power to call and conduct Department Meetings.

VI. No amendment of this Constitution shall be made, except at an annual meeting, with public notice of the proposed amendment.

OFFICERS OF THE ASSOCIATION.

1900-1901.

President, CHARLES DUDLEY WARNER,* Hartford, Conn.

First Vice-President, F. J. KINGSBURY, LL.D., Waterbury, Conn.

Vice-Presidents.

Hon. S. E. BALDWIN, LL.D., New Haven, Conn.
Hon. FRANCIS WAYLAND, LL.D., New Haven, Conn.
Prest. DANIEL C. GILMAN, LL.D., Baltimore, Md.
Hon. WILLIAM T. HARRIS, LL.D., Washington, D.C.
Hon. CARROLL D. WRIGHT, LL.D., Washington, D.C.
Prest. J. B. ANGELL, LL.D., Ann Arbor, Mich.
Hon. A. D. WHITE, LL.D., Berlin, Germany.
Hon. JOHN EATON, Washington, D.C.
LUCY HALL-BROWNE, M.D., Brooklyn, N.Y.
Mrs. CAROLINE H. DALL, Washington, D.C.
Hon. CHARLES A. PEABODY, LL.D., New York.
Hon. JOSIAH QUINCY, Boston, Mass.
GRACE PECKHAM MURRAY, M.D., New York.
H. HOLBROOK CURTIS, M.D., New York.
Rev. F. G. PEABODY, D.D., Cambridge, Mass.
Prof. GEORGE L. RAYMOND, L.H.D., Princeton, N.J.
Mrs. VIRGINIA B. MCKELWAY, Brooklyn, N.Y.
Mr. ROBERT H. RUSSELL, New York.

General Secretary, Rev. FREDERICK STANLEY ROOT, M.A., 129 E. 15th St., New York.

Treasurer, W. C. LEGENDRE, 59 Wall St., New York.

Directors.

Col. JACOB L. GREENE, Hartford, Conn.
W. A. GILES, Chicago, Ill.
EDWARD T. POTTER, Newport, R.I.
EUGENE SMITH, New York.
Hon. OSCAR S. STRAUS, New York.
BOOKER T. WASHINGTON, Tuskegee, Ala.
SEYMOUR DEXTER, Elmira, N.Y.
E. H. AVERY, Auburn, N.Y.
ST. CLAIR MCKELWAY, LL.D., Brooklyn, N.Y.
W. M. F. ROUND, Norfolk, Mass.

Department Officers.

I. *Education and Art.*—Rev. JOSEPH ANDERSON, D.D., Waterbury, Conn., *Chairman*; S. T. DUTTON, New York City, *Secretary*.

II. *Health.*—WILLIAM H. DALY, M.D., Pittsburg, Pa., *Chairman*; ELMER LEE, M.D., New York, *Secretary*.

III. *Finance.*—Col. J. L. GREENE, Hartford, Conn., *Chairman*; Prof. SAMUEL M. LINDSAY, Ph.D., Philadelphia, Pa., *Secretary*.

IV. *Social Economy.*—Hon. F. B. SANBORN, Concord, Mass., *Chairman*; Mrs. ORRA LANGHORNE, Lynchburg, Va., *Secretary*.

V. *Jurisprudence.*—Prof. FRANCIS WAYLAND, LL.D., New Haven, Conn., *Chairman*; Prof. ISAAC F. RUSSELL, New York City, *Secretary*.

Executive Committee.

President of the Association; Rev. F. S. ROOT, *General Secretary*; W. C. LEGENDRE, *Treasurer*; Rev. JOSEPH ANDERSON, D.D., *Education and Art Chairman*; Dr. WILLIAM H. DALY, *Health Chairman*; Prof. FRANCIS WAYLAND, LL.D., *Jurisprudence Chairman*; Col. J. L. GREENE, *Finance Chairman*; Hon. F. B. SANBORN, *Social Economy, Chairman*.

* Deceased.

LIFE MEMBERS.

Extract from Constitution: "On payment of one hundred dollars, any person may become a Life Member, exempt from assessments."

Angell, Mr. George T., Boston, Mass.
Baldwin, Hon. S. E., LL.D., New Haven, Conn.
*Barnard, Mr. James M., Boston, Mass.
Barnard, Mrs. James M., Boston, Mass.
Blatchford, Mr. J. S., Boston, Mass.
Bradford, Mr. Gamaliel, Boston, Mass.
*Cole, Mr. W. A., New York City.
*Dike, Mr. Henry M., New York City.
Dodge, Mr. Charles C., New York City.
Dodge, William E., Jr., New York City.
Eliot, Mrs. Samuel, Boston, Mass.
Endicott, William, Jr., Boston, Mass.
Farwell, Mrs. A. G., Boston, Mass.
Hermann, Mrs. H., 59 W. 56th Street, New York City.
Hewitt, Hon. Abram S., New York City.
Hoyt, Hon. J. W., The "Victoria," Washington, D.C.
James, Hon. D. Willis, New York City.
Lawson, Rev. Albert G., Camden, N.J.
Letchworth, Mr. W. P., Portageville, N.Y.
Libbey, Mr. Jonas M., New York City.
*Lincoln, Dr. D. F., Boston, Mass.
Patterson, W. H., 275 Fifth Avenue, New York City.
Sanborn, Hon. Frank B., Concord, Mass.
Sanborn, Mrs. Louisa L., Concord, Mass.
Smith, Prof. Goldwin, LL.D., Toronto, Canada.
Stokes, Mr. Anson Phelps, New York City.
Stokes, Mr. I. N. Phelps, New York City.
Stokes, Mr. Thomas, New York City.
Straus, Hon. Oscar S., New York City.
Villard, Mrs. Henry, New York City.
Ward, Mr. J. Q. A., New York City.
Ware, Mr. William R., New York City.
Wayland, Prof. Francis, LL.D., New Haven, Conn.
White, Hon. Andrew Dickson, LL.D., Berlin, Germany.
Wolcott, Miss Ella L., Elmira, N.Y.
Young, Mr. J. Edward, New York City.

[Names marked with [*] cannot be found by post-office officials.]

HONORARY AND CORRESPONDING MEMBERS.

[NOTE.—The names on this list marked with a *star* are those of persons who cannot be found by post-office officials. In each case the letters were forwarded, and were returned to the editor as evidence of the inability of the authorities to find the person to whom communications were addressed.]

In America.

Prof. J. Irving Manatt, Providence, R.I.
Major-Gen. O. O. Howard, New York City.
Edmund A. Meredith, Esq., care The Toronto Income Trust Co., Yonge St., Toronto, Can.
Hon. Domingo F. Sarmiento, Buenos Ayres.
Lewis A. Sayre, M.D., 795 Broadway, New York.

In Great Britain and Ireland.

Sir Walter Crofton, The Close, Winchester.
Lord Radstock, London.
Miss Frances Power Cobbe, 24 Cheyne Walk, London, S.W.
Henry Dunning McLeod, Esq., Oxford and Cambridge Club, London.
Alfred Field, Esq., Birmingham.
Thomas H. Barker, Esq., Manchester.
Henry W. Ackland, M.D., F.R.S., Oxford.
*Miss Edith Simcox, London.
Miss Louisa Innes Lundsden, Glenbogie, Rhynie, Scotland.
Herbert Spencer, Esq., London.
Miss J. Francis Dove, St. Andrews, Scotland.
Lord Hobhouse, 15 Bruton St., London.
Prof. James Bryce, M.P., London.
Geoffrey Drage, Esq., London.
Moncure D. Conway, Esq., London.

In France.

*M. Émile Muller, Paris.
M. Joseph Garnier, 14 Rue Richelieu, Paris.
*M. August Laugel, 19 Rue de la Ville l'Évêque, Paris.
*M. Émile Cacheux, Paris.
M. Émile Trelat, Paris.
*M. F. Buisson, Paris.
M. Émil Levasseur, 24 Rue Monsieur le Prince, Paris.
M. Arthur Raffalovich, 19 Avenue Hoche, Paris.
M. Pierre Claudio Jannet, 22 Rue Oudinot, Paris.

In Germany.

Dr. Ernest Engel, Royal Statistical Bureau, Berlin.

In Italy.

Signor Martino Beltrani-Scalia, Rome.
Prof. C. F. Gabba, Pisa.
Prof. Alberto de Errea, Cavaliere della Corna d' Italia, Venice.

In Hungary.

*M. E. Horn, M.P., Budapest.

In Belgium.

*M. P. Buls, Brussels.
M. Van de Rest, Brussels.

LIST OF ANNUAL MEMBERS JAN. 1, 1901.

[NOTE.— With reference to this enrollment some explanations are essential, and they are as follows: —

The "National Institute of Arts and Letters," organized under the auspices of the American Social Science Association, but now an independent body, still retains a certain connection with the Association in the form of Associate Memberships. The following clauses from vote passed at the Saratoga meeting of the Association define the existing status: —

Voted, That the members of the Institute be *ipso facto* associate members of the Association in return for the courtesy of the Institute in making members of the Association associate members of the Institute.

In the list subjoined, such associate members are marked with a *star*. In the matter of academic titles, such only are given as are known; and the urgent need of going to press at no later day forbade opportunity for diligent personal inquiry, involving a large correspondence. Members are earnestly solicited to communicate with the editor at once respecting academic titles, and also to correct any errors which may be found upon the roll. All resignations should also be promptly reported to the permanent address of the General Secretary, 129 E. 15th Street, New York City.]

*Abbey, Edwin A., Fairford, England.
Abbot, Francis E., Ph.D., 43 Larch St., Cambridge, Mass.
Abbott, Samuel W., M.D., 142 State St., Boston, Mass.
Abrahams, A., 800 St. Marks Ave., Brooklyn.
Adams, B., 23 Court St., Boston.
*Adams, Henry, Washington, D.C.
*Adams, Herbert, LL.D., Johns Hopkins University, Baltimore, Md.
Adams, John L., 24 E. 46th St., New York.
Adams, Oscar Fay, 41 Marlboro St., Boston.
Addams, Miss Jane, Hull House, Chicago.
Ade, George, the *Record*, Chicago.
Agar, John E., 31 Nassau St., New York.
W. M. Aiken, St. James Building, Broadway, New York City.
*Alden, Henry M., care of Harper & Brothers, New York.
Alderson, Victor C., M.D., Armour Inst. of Tech., Chicago.
Aldrich, Charles F., Home Insurance Building, Chicago.
Aldrich, Nelson W., Providence, R.I.
*Aldrich, Thomas Bailey, Boston, Mass.
Aldridge, George W., Rochester, N.Y.
Alexander, E. P., Augusta, Ga.
*Alexander, John W., 120 Broadway, New York City.
Allen, Charles Dexter, Hartford, Conn.
*Allen, James Lane, 66 5th Ave., New York.
Allen, S. H., 501 Jackson St., Topeka, Kan.
Allen, Thomas, 12 Commercial Ave., Boston.
Allen, Timothy Field, M.D., 3 E. 48th St., New York.
Allen, Miss Viola, 27 W. 93d St., New York City.
Allen, William A., Madison, Neb.
Allison, Hon. W. B., 1124 N St., Washington, D.C.
Alvord, Henry E., Lewinsville, Fairfax County, Va.
Ames, Gen. Adelbert, Lowell, Mass.
Ames, James Barr, Cambridge, Mass.
Amory, Robert, M.D., 279 Beacon St., Boston.
Anderson, E. Ellery, 27 William St., New York.

Anderson, Rev. Joseph, D.D., Waterbury, Conn.
Anderson, Warren E., Pensacola, Fla.
Anderson, Winslow, M.D., 1220 Sutton St., San Francisco.
Andrews, Charles, Syracuse, N.Y.
Andrews, Hon. Charles B., LL.D., Litchfield, Conn.
Andrews, Charles M., Bryn Mawr, Pa.
Angell, Henry C., 16 Beacon St., Boston, Mass.
Anthony, Prof. Wm. A., Cooper Union, New York.
Archer, Frederick, Carnegie Institute, Pittsburg, Pa.
Ashley, Prof. Clarence D., LL.D., N.Y. Un. Law School, New York.
Ashley, George Hall, 15 W. 22d St., Indianapolis, Ind.
Ashmead, William H., 1821 Q St., N.W., Washington, D.C.
Ashmore, George C., M.D., 794 Republic St., Cleveland, Ohio.
Atherton, Miss Gertrude, "The Cairo," Washington, D.C.
Atwood, Charles E., M.D., "Bloomingdale," White Plains, N.Y.
Atwood, J. M., 159 Meigs St., Rochester, N.Y.
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D.D. 2. Short Duration of School Attendance: Its Causes and Remedies — Mrs. Daniel Folkmar. 3. The Educational Value of the Popular Lecture — Dr. Henry M. Leipziger. 4. The Significance of the Recent Advance in College and University Education in the United States — Hon. William T. Harris. 5. The Influence of Art upon Education — Prof. George L. Raymoud. II. Papers of the Departments of Finance and Social Economy: 1. Co-operative Banks and Building Associations; Remarks by the Chairman — Hon. F. B. Sanborn. 2. The George Junior Republic — Mr. Thomas M. Osborne. 3. The Proposed Anglo-American Alliance — Charles A. Gardiner, Ph.D. 4. School Playgrounds and Baths — Hon. Josiah Quincy. 5. War Financiering — Hon. Frank A. Vanderlip. 6. Discussion of the above topic — Prof. Charles H. Hull. III. Papers of the Jurisprudence Department: 1. Remarks by the Chairman — Dean Francis Wayland. 2. Can International Disputes be Judicially Determined? — Prof. Isaac Franklin Russell. 3. American Marriages and Divorces before Canadian Tribunals — Eugene Lafleur. 4. The Obligations of the State to Public Education — Hon. Charles Bulkley Hubbell. 5. Medical and Other Experts — Hon. St. Clair McKelway. IV. Papers of the Health Department: 1. Health in Camps — Dr. Elmer Lee. 2. The Purification of Municipal Water Supplies by Filtration — Chancellor W. J. Holland. In Appendix: Care of Deaf-mutes in Denmark — Holger Mygind, M.D. Abstract of Address on Sociology as based on Anthropology — Prof. Daniel Folkmar.

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In separate pamphlets: The Single Tax Debate, 1890; Discussion of Labor Organizations, 1891; and the Sweating System, 1892; also, Relief of the Unemployed, 1894, and Pauperism and Whiskey, 1894; Free Silver Coinage, 1895.

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FRED. STANLEY ROOT,

129 E. 15TH STREET, NEW YORK.

GENERAL MEETING OF 1900.

The General Meeting of the Association for 1900 was held at Washington, D.C.; and the sessions continued from Monday, May 7, to Friday, May 11, inclusive. All business transacted will be found under the head of "*Business of* 1900."

The Departments held sessions as follows: —

MONDAY EVENING, MAY 7.

General Session.

8.30 P.M. Annual Address by the President of the Association, CHARLES DUDLEY WARNER, LL.D., of Hartford, Conn., on "*The Education of the Negro.*"

9.30 P.M. Brief announcements by the General Secretary, FREDERICK STANLEY ROOT, M.A., of New York.

Appointment of Nominating Committee.

Miscellaneous Business.

TUESDAY, MAY 8.

Department of Health.

9.30 A.M. Address by the Chairman, WILLIAM H. DALY, M.D., Pittsburg, Pa.

9.45 A.M. *Alternate Ventilation applicable to Russian Étapes and New York Tenements.* E. T. POTTER, Newport, R.I.

10.00 A.M. *The Solids of Skim Milk as a Food.* WILLIAM A. HALL, New York.

10.20 A.M. *A Proposed Plan for a Better Milk Supply for Cities.* RAYMOND A. PEARSON, Washington, D.C.

10.40 A.M. *The Tuberculin Test from the Breeders' Standpoint.* FRANK D. WARD, Batavia, N.Y.

11.00. A.M. *Difficulties and Deficiencies of Existing Medical Systems.* THOMAS POWELL, M.D., Los Angeles, Cal.

11.20 A.M. *Therapeutic Methods based on Physical Gesture.* ADELE MARIA RICKEY, New York.

11.40 A.M. *Are Bacilli the Cause of Disease or a Natural Aid to its Cure?* CHARLES E. PAGE, M.D., Boston, Mass.

12.00 A.M. *Medical Research at the Elmer Gates Laboratory.* ELMER GATES, Chevy Chase, Md.

8.30 P.M. *Are We Degenerating?* IRVING C. ROSSE, M.D., Washington, D.C.

8.50 P.M. *Age: Must it Enfeeble?* FLOYD B. WILSON, New York.

9.10 P.M. *A Plea for Rain Baths in the Public Schools.* WILLIAM PAUL GERHARD, C.E., New York.

9.30 P.M. *Suppression of Epidemics.* WALTER WYMAN, M.D., Washington, D.C.

9.50 P.M. *The Genesis of Disease.* ELMER LEE, M.D., New York.

WEDNESDAY, MAY 9.

Department of Education and Art.

9.30 A.M. Introductory Address: "*A Year's Progress.*" By the Hon. W. T. HARRIS, United States Commissioner of Education, Washington.

10.00 A.M. *Advanced Professional Training of Teachers.* By Dr. JAMES E. RUSSELL, Dean of Teachers' College, Columbia University, New York.

10.30 A.M. *The Artistic versus the Scientific Conception in Educational Methods.* By Prof. G. L. RAYMOND, L.H.D., Princeton University, Princeton, N.J.

11.00 A.M. *False and True Teaching in our Schools concerning Alcohol.* By Prof. W. O. ATWATER, Wesleyan University, Middletown, Conn.

11.30 A.M. *The Educational Resources of the Community.* By

SAMUEL J. DUTTON, Secretary of the Department, Superintendent of Schools, Brookline, Mass.

12.00 A.M. Discussion of the Several Subjects.

8.30 P.M. Remarks by the Chairman of the Department.

8.40 P.M. Lecture: "*The Æsthetic Factor in Education.*" By Prof. E. H. SNEATH, Ph.D., Yale University, New Haven, Conn.

9.25 P.M. Discussion.

THURSDAY, MAY 10.

Department of Social Economy and Finance.

9.00 A.M. Address by the Chairman of the Social Economy Department, F. B. SANBORN, of Concord, Mass., on "*Social Changes in the United States during the Half-century*, 1850–1900."

10.00 A.M. "*Social Changes in New England Therein.*" A paper by Miss KATE SANBORN and E. W. SANBORN, of New York.

10.30 A.M. "*Changes in Virginia during the Half-century, including Emancipation.*" A paper by Mrs. ORRA LANGHORNE, of Lynchburg, Va.

11.00 A.M. "*Social Changes West of the Mississippi during the Half-century.*" A paper by JAMES H. HOLMES, Esq., formerly of Kansas, Colorado, and New Mexico.

11.30. A.M. Discussion of the preceding papers.

12.00 A.M. "*The Boers of South Africa in their Social Relations.*" A paper by Miss FLORA J. WHITE, of Concord, Mass., formerly resident in South Africa, followed by a Discussion.

8.30 P.M. Introductory remarks by the Secretary of the Department, Prof. SAMUEL MCCUNE LINDSAY, of the University of Pennsylvania.

Address: "*An Ideal Currency.*" By Col. JACOB L. GREENE, Hartford, Conn.

Discussion, opened by Prof. JOSEPH FRENCH JOHNSON, of the University of Pennsylvania, on "*Recent Currency Legislation in Relation to an Ideal Currency.*"

FRIDAY, MAY 11.

Department of Jurisprudence.

9.00 A.M. Report of Nominating Committee.

Other Business.

9.30 A.M. Address by the Secretary of Department, Prof. ISAAC FRANKLIN RUSSELL, LL.D., D.C.L., of New York.

10.00 A.M. "*The Relation of the Federal Constitution and Statutes to our New Possessions.*" Address by CHARLES A. GARDNER, Esq., of the New York Bar.

10.45 A.M. "*State Competition for Revenue from Incorporated Capital.*" JAMES BROOKS DILL, Esq., of the New York Bar.

11.30 A.M. "*Legal Education of Women.*" Mrs. ISABELLA MARY PETTUS, LL.M., of the New York Bar, Assistant Lecturer in the New York University.

8.30 P.M. "*The Suppression of Vice: How Far an Efficient and Proper Function of Popular Government.*" Prof. CHRISTOPHER G. TIEDEMAN, LL.D., of New York City.

9.15 P.M. "*The Laws of our New Possessions.*" Hon. WILLIAM WIRT HOWE, LL.D., ex-President of the American Bar Association.

In Memory of

CHARLES DUDLEY WARNER.

Charles Dudley Warner died suddenly in Hartford, Conn., Oct. 20, 1900. For many years he had been identified with the work of this Association, and was elected President in the fall of 1899. Mr. Warner was born in Plainfield, Mass., on Sept. 12, 1829. His ancestry was of the best New England stock. His father conducted a large farm successfully, and in addition to his many practical endowments possessed a culture and refinement which supplied his library with the notable books of the day. The son thus became familiar with those phases of New England country life which appear so conspicuously in his literary work; and the shrewd common sense which characterized his every undertaking is perhaps traceable to the hard, matter-of-fact training in practicalities which grew out of the environment of early life.

After some fugitive experiences in the business world, Mr. Warner decided to go to college, and was graduated from Hamilton in the year 1851. During his undergraduate days he may be said to have begun a literary career, for it was then that he became a contributor to the *Knickerbocker* and *Putnam's Magazine*. But, health failing, Mr. Warner joined a party of surveyors, and went to Missouri. Upon returning, he entered the law department of the University of Pennsylvania, was finally admitted to the bar, and practised his profession for four years in Chicago. But, the bent of his mind being strongly literary, the law was gladly relinquished when opportunity came to associate his fortunes with those of his college friend, General Joseph R. Hawley, in the editorial conduct of the Hartford *Press*, afterward consolidated with the Hartford *Courant*. For many years he gave to that journal most indefatigable and painstaking service, and from this connection resulted a number of successful literary ventures which launched the hard-toiling editor upon a career in letters,— a career sustained with increasing reputation to the day of his death.

It is needless to recount in this place the variety of his labors

in the field of literature. He seized innumerable topics with a skill and comprehensiveness of insight that evinced not only the innate thoroughness of his intellectual method, but also revealed an attractiveness of style and a delicacy of humor wholly dedicated to lofty ideals of workmanship. In the domain of fiction Mr. Warner's creations fully warrant the comment of Hamilton W. Mabie, who says in the *Critic*, "In the three stories written by Mr. Warner during the closing years of his life, the keenness of his observation and the sanity of his ideals of social life come out with striking clearness." It was the "sanity of his ideals of social life" that also made his labors so extremely useful in all measures of social and institutional reform. And it is with these that we are most directly concerned, now that death has removed him from participation in movements more or less within scope of the purposes and objects of the Association which he served so admirably in the office of President.

Many years ago Mr. Warner became a great traveller, going repeatedly to Europe and the East, and not neglecting the nooks and corners of his own country. Extensive travel, to one of observant mind, inevitably fastens the attention upon social conditions. The study of these conditions inspires a sympathetic mind to originate or support measures having in view the amelioration of existing defects in the social status. And thus gradually but surely the late president of this Association gave more and more of his time to the investigation of educational and philanthropic problems. Not shirking activity in the municipal life of his own city, he yet served with distinction upon boards like the National Prison Association and other bodies, whose work it is to make it easier for humanity to arrive at a recognition of the inherent high estate and ineffaceable possibilities of what appears to the world a hopelessly depraved manhood. During the anti-slavery agitation, Mr. Warner was an ardent abolitionist. At the close of the war he was greatly interested in the problem of Negro education, and was thoroughly familiar with the various stages of progress incident to the building up of the new South. Latterly, he saw reason to alter some of his opinions relative to the type of education required in the development of the black race. One of the most important of his printed contributions to the question is the address which appears in this volume, and entitled "The Education of the Negro," in which the prevailing methods are boldly but cour-

teously challenged. This is, perhaps, the last notable paper prepared by the distinguished author; and the skilful treatment of the theme is in every way indicative of his right to discuss the difficult issues involved from close personal knowledge of existing conditions.

Although for some years debarred from vigorous participation in the work of this society, Mr. Warner has, on various occasions, read notable papers at the annual gatherings. But, with the assumption of the duties of the Presidency, he gave the best that was in him to bestow either of counsel or labor, and always with the same zeal and fidelity which attended every effort of his powers. On the personal side he disclosed rare capacity for friendship. He was a man of "harmonious character." He sought the truth, and, while seeking, did not attribute improper motives to those who differed. In his book on the "Intellectual Life," Gilbert Hamerton observes that "an opponent is not an enemy to be repelled, but a torch-bearer to be welcomed for any light he may bring." Mr. Warner seemed always to act in accordance with this aphorism; and in all his intercourse with others he showed that deference for an honest man's opinion, however much at variance with his own, which marks the gentleman. His words ever made for peace between warring factions, and yet there was no hesitancy in declaring his views with decision and frankness when necessity arose.

In the last few months of his mortal life, existence became at times a ring of fire which scarred the body with excruciating pain. But the affliction was sustained with remarkable heroism and cheerfulness, and in the midst of days and nights of exquisite suffering he did not relax his interest in the work of the Association. To the writer of this inadequate tribute, and to every member of the body whose deliberations were invigorated by his knowledge, tact, and considerateness, the news of Mr. Warner's sudden death came as a profound shock. The relations between the President of the Association and the General Secretary are necessarily close and intimate; but, through all our business intercourse, personal and by correspondence, extending over a period of eighteen months, no chord of dissonance ever quivered. And the writer gratefully commemorates the serene courtesy, the friendly encouragement, the wise suggestion which made that intercourse a privilege and delight.

The secret of his last few moments of consciousness is veiled. Perhaps he knew the finger of God beckoned to more ample fulfilment in the realm of departed spirits. Perhaps he did *not* know. But, *if* he knew, he doubtless met the summons unfalteringly and with high-heartedness; and like Colonel Newcome, of sweet memory, when "the bell ringeth to even-song," he answered undismayed, "Adsum! Adsum!"

FREDERICK STANLEY ROOT.

HENRY VILLARD.

The decease of President Warner was soon followed by that of an earlier member and secretary of our Association, Henry Villard, of New York, to whom, in its first five years, the American Social Science Association was indebted for very active and efficient service, which gave it opportunities for great usefulness both here and abroad. German by birth (at Speyer in the Palatinate), but American in spirit and by adoption, Mr. Villard was able to interest those on both sides the Atlantic who could promote the new Association; and from his initiative came that active campaign in favor of Civil Service Reform which, after years of thankless effort, resulted in the passage and maintenance of our present Civil Service statutes. He also prepared and published a valuable "Handbook for Immigrants from Europe," which had a wide circulation in Europe, and did much to improve the quality of the migration taking place thirty years ago from the more northern countries. He was the first General Secretary of the Association, performing the duties which before had fallen to the two secretaries, Messrs. Samuel Eliot and F. B. Sanborn; and it is quite within bounds to say that no secretary could have executed his office with more energy and practical achievement. His talent for organization, afterward displayed in more conspicuous positions, accomplished much for this Association, and was so marked as to draw him from our work into fields of great executive usefulness.

Before Mr. Villard joined our ranks, the Association had enjoyed the co-operation in an important department of an older German-American, the illustrious Dr. Francis Lieber; and those

who can remember that genial and accomplished scholar will also recall in how many of his amiable traits Mr. Villard resembled him. Courteous and considerate, always disposed to put the most generous construction on the conduct of others, their own generous altruism was conspicuous in both, and led them to labor with zeal where others of a colder constitution, but of similar aims, would have served their fellow-men as a task rather than with the affection which all high service requires for its best efficacy. Hawthorne, in one of his masterly romantic parables ("The Great Stone Face") has described one of our most famous statesmen as wearing the look of "a man of mighty faculties and little aims, whose life, with all its high performances, was vague and empty, because no high purpose had endowed it with reality." No such aspect had either of the associates we now recall: rather should they be described in the words of the Venetian, portraying his friend,—

> "The kindest man,
> The best-conditioned and unwearied spirit
> In doing courtesies; and one in whom
> The ancient Roman honor more appears
> Than any that draws breath in Italy."

To be professedly the friend of mankind has begun to carry with it some reproach, since that profession has been found a mask for ambition and the refuge of hypocrisies. But no profession was needed where the spirit of friendliness had written its attestation in cheerful look and hospitable mien; where the deed vouched for the word, and not the word for the deed. It is not difficult, in this expansive age, to win great fortunes or to lose them; but so to use all fortunes that the unfortunate shall benefit unconsciously, and the world be better for one existence, and poorer by a single death,— that is a secret not told to the selfish, and oftenest denied to the ambitious. The Italian whose statue is to be seen in Sicily, with its apt inscription,— "Of great penetration into the secrets of Fortune,"— may have learned this mystery among the rest; but certainly it was revealed to Henry Villard.

F. B. SANBORN.

CONCORD, MASS., Dec. 15, 1900.

THE EDUCATION OF THE NEGRO.

THE ADDRESS OF THE PRESIDENT OF THE ASSOCIATION, CHARLES DUDLEY WARNER, LL.D., OF HARTFORD, CONN.*

[Read Monday evening, May 7.]

At the close of the war for the Union about five millions of negroes were added to the citizenship of the United States. By the census of 1890 this number had become over seven and a half millions. I use the word "negro," because the descriptive term "black" or "colored" is not determinative. There are many varieties of negroes among the African tribes, but all of them agree in certain physiological, if not psychological, characteristics, which separate them from all other races of mankind: whereas there are many races, black or colored, like the Abyssinian, which have no other negro traits.

It is also a matter of observation that the negro traits persist in recognizable manifestations, to the extent of occasional reversions, whatever may be the mixture of a white race. In a certain degree this persistence is true of all races not come from an historic common stock.

In the political reconstruction the negro was given the ballot without any requirements of education or property. This was partly a measure of party balance of power and partly from a concern that the negro would not be secure in his rights as a citizen without it, and also upon the theory that the ballot is an educating influence.

This sudden transition and shifting of power was resented at the South, resisted at first, and finally it has generally been evaded. This was due to a variety of reasons or prejudices, not all of them creditable to a generous desire for the universal elevation of mankind, but one of them the historian will judge adequate to produce the result. Indeed, it might have been foreseen from the beginning. This reconstruction measure was an attempt to put the

*Mr. Warner died Oct. 20, 1900, and, in his death, the Association has suffered an irreparable loss. In another place will be found a brief review of his services in the cause of social progress.

superior part of the community under the control of the inferior,— these parts separated by all the prejudices of race and by traditions of mastership on the one side and of servitude on the other. I venture to say that it was an experiment that would have failed in any community in the United States, whether it was presented as a piece of philanthropy or of punishment.

A necessary sequence to the enfranchisement of the negro was his education. However limited our idea of a proper common education may be, it is a fundamental requisite in our form of government that every voter should be able to read and write. A recognition of this truth led to the establishment in the South of public schools for the whites and blacks,— in short, of a public school system. We are not to question the sincerity and generousness of this movement, however it may have halted and lost enthusiasm in many localities.

This opportunity of education (found also in private schools) was hailed by the negroes, certainly, with enthusiasm. It cannot be doubted that at the close of the war there was a general desire among the freedmen to be instructed in the rudiments of knowledge at least. Many parents, especially women, made great sacrifices to obtain for their children this advantage which had been denied to themselves. Many youths, both boys and girls, entered into it with a genuine thirst for knowledge which it was pathetic to see.

But it may be questioned, from developments that speedily followed, whether the mass of negroes did not really desire this advantage as a sign of freedom rather than from a wish for knowledge, and covet it because it had formerly been the privilege of their masters and marked a broad distinction between the races. It was natural that this should be so, when they had been excluded from this privilege by pains and penalties, when in some States it was one of the gravest offences to teach a negro to read and write. This prohibition was accounted for by the peculiar sort of property that slavery created, which would become insecure if intelligent; for the alphabet is a terrible disturber of all false relations in society.

But the effort at education went further than the common school and the primary essential instruction. It introduced the higher education. Colleges — usually called universities — for negroes were established in many Southern States, created and stimulated by the generosity of Northern men and societies, and

often aided by the liberality of the States where they existed. The curriculum in these was that in colleges generally,— the classics, the higher mathematics, science, philosophy, the modern languages, and in some instances a certain technical instruction, which was being tried in some Northern colleges. The emphasis, however, was laid on liberal culture. This higher education was offered to the mass that still lacked the rudiments of intellectual training, in the belief that education, the education of the moment, the education of superimposed information, can realize the theory of universal equality.

This experiment has now been in operation long enough to enable us to judge something of its results and its promises for the future. These results are of a nature to lead us seriously to inquire whether our effort was founded upon an adequate knowledge of the negro, of his present development, of the requirements for his personal welfare and evolution in the scale of civilization and for his training in useful and honorable citizenship. I am speaking of the majority, the mass to be considered in any general scheme, and not of the exceptional individuals — exceptions that will rapidly increase as the mass is lifted — who are capable of taking advantage to the utmost of all means of cultivation, and who must always be provided with all the opportunities needed.

Millions of dollars have been invested in the higher education of the negro; while this primary education has been, taking the whole mass, wholly inadequate to his needs. This has been upon the supposition that the higher would compel the rise of the lower with the undeveloped negro race, as it does with the more highly developed white race. An examination of the soundness of this expectation will not lead us far astray from our subject.

The evolution of a race, distinguishing it from the formation of a nation, is a slow process. We recognize a race by certain peculiar traits and by characteristics which slowly change. They are acquired little by little in an evolution which, historically, it is often difficult to trace. They are due to the environment, to the discipline of life, and to what is technically called education. These work together to make what is called character, race character; and it is this which is transmitted from generation to generation. Acquirements are not hereditary, like habits and peculiarities, physical or mental. A man does not transmit to his descendants his learning, though he may transmit the aptitude for it. This is

illustrated in factories where skilled labor is handed down and fixed in the same families; that is, where the same kind of labor is continued from one generation to another. The child, put to work, has not the knowledge of the parent, but a special aptitude in his skill and dexterity. Both body and mind have acquired certain transmissible traits. The same thing is seen on a larger scale in a whole nation, like the Japanese, who have been trained into what seems an art instinct.

It is this character, quality, habit, the result of a slow educational process, which distinguishes one race from another. It is this that the race transmits, and not the more or less accidental education of a decade or an era. The Brahmins carry this idea into the next life, and say that the departing spirit carries with him nothing except this individual character, no acquirements or information or extraneous culture. It was perhaps in the same spirit that the sad preacher in Ecclesiastes said there is no "knowledge nor wisdom in the grave, whither thou goest."

It is by this character that we classify civilized and even semi-civilized races; by this slowly developed fibre, this slow accumulation of inherent quality in the evolution of the human being from lower to higher, that continues to exist notwithstanding the powerful influence of governments and religions. We are understood when we speak of the French, the Italian, the Pole, the Spanish, the English, the German, the Arab race, the Japanese, and so on. It is what a foreign writer calls, not inaptly, a collective race soul. As it is slow in evolution, it is persistent in enduring.

Further, we recognize it as a stage of progress, historically necessary in the development of man into a civilized adaptation to his situation in this world. It is a process that cannot be much hurried, and a result that cannot be leaped to out of barbarism by any superimposition of knowledge or even quickly by any change of environment. We may be right in our modern notion that education has a magical virtue that can work any kind of transformation; but we are certainly not right in supposing that it can do this instantly, or that it can work this effect upon a barbarous race in the same period of time that it can upon one more developed, one that has acquired at least a race consciousness.

Before going further, and in order to avoid misunderstanding, it is proper to say that I have the firmest belief in the ultimate development of all mankind into a higher plane than it occupies

now. I should otherwise be in despair. This faith will never desist in the effort to bring about the end desired. But, if we work with Providence, we must work in the reasonable ways of Providence, and add to our faith patience.

It seems to be the rule in all history that the elevation of a lower race is affected only by contact with one higher in civilization. Both reform and progress come from exterior influences. This is axiomatic, and applies to the fields of government, religion, ethics, art, and letters.

We have been taught to regard Africa as a dark, stolid continent, unawakened, unvisited by the agencies and influences that have transformed the world from age to age. Yet it was in northern and north-eastern Africa that within historic periods three of the most powerful and brilliant civilizations were developed,— the Egyptian, the Carthaginian, the Saracenic. That these civilizations had more than a surface contact with the interior we know. To take the most ancient of them, and that which longest endured, the Egyptian, the Pharaohs carried their conquests and their power deep into Africa. In the story of their invasions and occupancy of the interior, told in pictures on temple walls, we find the negro figuring as captive and slave. This contact may not have been a fruitful one for the elevation of the negro, but it proves that for ages he was in one way or another in contact with a superior civilization. In later days we find little trace of it in the home of the negro, but in Egypt the negro has left his impress in the mixed blood of the Nile valley.

The most striking example of the contact of the negro with a higher civilization is in the powerful mediæval empire of Songhay, established in the heart of the negro country. The vast strip of Africa lying north of the equator and south of the 20th parallel and west of the upper Nile was then, as it is now, the territory of tribes distinctly described as negro. The river Niger running northward from below Jenne to near Timbuctoo, and then turning west and south to the Gulf of Guinea, flows through one of the richest valleys in the world. In richness it is comparable to that of the Nile, and like that of the Nile its fertility depends upon the water of the central stream. Here arose in early times the powerful empire of Songhay, which disintegrated and fell into tribal confusion about the middle of the seventeenth century. For a long time the seat of its power was the city of Jenne. In later days it was Timbuctoo.

This is not the place to enlarge upon this extraordinary piece of history. The best account of the empire of Songhay is to be found in the pages of Barth, the German traveler, who had access to what seemed to him a credible Arab history. Considerable light is thrown upon it by a recent volume on Timbuctoo by M. Dubois, a French traveller. M. Dubois finds reason to believe that the founders of the Songhese empire came from Yemen, and sought refuge from Moslem fanaticism in central Africa some hundred and fifty years after the Hegira. The origin of the empire is obscure, but the development was not indigenous. It seems probable that the settlers, following traders, penetrated to the Niger valley from the valley of the Nile as early as the third or fourth century of our era. An evidence of this early influence, which strengthened from century to century, Dubois finds in the architecture of Jenne and Timbuctoo. It is not Roman or Saracenic or Gothic: it is distinctly Pharaonic. But, whatever the origin of the Songhay empire, it became in time Mohammedan, and so continued to the end. Mohammedanism seems, however, to have been imposed. Powerful as the empire was, it was never free from tribal insurrection and internal troubles. The highest mark of negro capacity developed in this history is, according to the record examined by Barth, that one of the emperors was a negro.

From all that can be gathered in the records, the mass of the negroes, which constituted the body of this empire, remained pagan, did not become, except in outward conformity, Mohammedan, and did not take the Moslem civilization as it was developed elsewhere, and that the disintegration of the empire left the negro races practically where they were before in point of development. This fact, if it is not overturned by further search, is open to the explanation that the Moslem civilization is not fitted to the development of the African negro.

Contact, such as it has been, with higher civilizations, has not, in all these ages which have witnessed the wonderful rise and development of other races, much affected or changed the negro. He is much as he would be if he had been left to himself. And left to himself, even in such a favorable environment as America, he is slow to change. In Africa there has been no progress in organization, government, art. No negro tribe has ever invented a written language. In his exhaustive work on the History of Mankind, Professor Frederick Ratzel, having studied thoroughly the negro

belt of Africa, says, "Of writing, properly so called, neither do the modern negroes show any trace, nor have traces of older writing been found in negro countries."

From this outline review we come back to the situation in the United States, where a great mass of negroes — possibly over nine millions of many shades of colors — is for the first time brought into contact with Christian civilization. This mass is here to make or mar our national life, and the problem of its destiny has to be met with our own. What can we do, what ought we to do, for his own good and for our peace and national welfare?

In the first place, it is impossible to escape the profound impression that we have made a mistake in our estimate of his evolution as a race, in attempting to apply to him the same treatment for the development of character that we would apply to a race more highly organized. Has he developed the race consciousness, the race soul, as I said before, a collective soul, which so strongly marks other races more or less civilized according to our standards? Do we find in him, as a mass (individuals always excepted), that slow deposit of training and education called "character," any firm basis of order, initiative of action, the capacity of going alone, any sure foundation of morality? It has been said that a race may attain a good degree of standing in the world without the refinement of culture, but never without virtue, either in the Roman or the modern meaning of that word.

The African, now the American negro, has come in the United States into a more favorable position for development than he has ever before had offered. He has come to it through hardship, and his severe apprenticeship is not ended. It is possible that the historians centuries hence, looking back over the rough road that all races have traveled in their evolution, may reckon slavery and the forced transportation to the New World a necessary step in the training of the negro. We do not know. The ways of Providence are not measurable by our foot rules. We see that slavery was unjust, uneconomic, and the worst training for citizenship in such a government as ours. It stifled a number of germs that might have produced a better development, such as individuality, responsibility, and thrift,—germs absolutely necessary to the well-being of a race. It laid no foundation of morality, but in place of morality saw cultivated a superstitious, emotional, hysterical religion. It is true that it taught a savage race subordi-

nation and obedience. Nor did it stifle certain inherent temperamental virtues,—faithfulness, often highly developed, and frequently cheerfulness and philosophic contentment in a situation that would have broken the spirit of a more sensitive race. In short, under all the disadvantages of slavery the race showed certain fine traits, qualities of humor and good humor and capacity for devotion, which were abundantly testified to by Southerners during the progress of the Civil War. It has, as a race, traits wholly distinct from those of the whites, which are not only interesting, but might be a valuable contribution to a cosmopolitan civilization; gifts also, such as the love of music, and temperamental gayety mixed with a note of sadness, as in the Hungarians.

But slavery brought about one result, and that the most difficult in the development of a race from savagery, and especially a tropical race, a race that has always been idle in the luxuriance of a nature that supplied its physical needs with little labor. It taught the negro to work. It transformed him — by compulsion, it is true — into an industrial being, and held him in the habit of industry for several generations. Perhaps only force could do this, for it was a radical transformation. I am glad to see that this result of slavery is recognized by Mr. Booker Washington, the ablest and most clear-sighted leader the negro race has ever had.

But something more was done under this pressure, something more than creation of a habit of physical exertion to productive ends. Skill was developed. Skilled labor, which needs brains, was carried to a high degree of performance. On almost all the Southern plantations, and in the cities also, negro mechanics were bred,— excellent blacksmiths, good carpenters, and house-builders capable of executing plans of high architectural merit. Everywhere were negroes skilled in trades, and competent in various mechanical industries.

The opportunity and the disposition to labor make the basis of all our civilization. The negro was taught to work, to be an agriculturist, a mechanic, a material producer of something useful. He was taught this fundamental thing. Our Higher Education, applied to him in his present development, operates in exactly the opposite direction.

This is a serious assertion. Its truth or falsehood cannot be established by statistics; but it is an opinion gradually formed by

experience, and the observation of men competent to judge, who have studied the problem close at hand. Among the witnesses to the failure of the result expected from the establishment of colleges and universities for the negro are heard, from time to time and more frequently as time goes on, practical men from the North,— railway men, manufacturers who have initiated business enterprises at the South. Their testimony coincides with that of careful students of the economic and social conditions.

There was reason to assume from our theory and experience of the higher education in its effect upon white races that the result would be different from what it is. When the negro colleges first opened, there was a glow of enthusiasm, an eagerness of study, a facility of acquirement, and a good order that promised everything for the future. It seemed as if the light then kindled would not only continue to burn, but would penetrate all the dark and stolid communities. It was my fortune to see many of these institutions in their early days, and to believe that they were full of the greatest promise for the race.

I have no intention of criticising the generosity and the noble self-sacrifice that produced them, nor the aspirations of their inmates. There is no doubt that they furnish shining examples of emancipation from ignorance and of useful lives. But a few years have thrown much light upon the careers and characters of a great proportion of the graduates, and their effect upon the communities of which they form a part,— I mean, of course, with regard to the industrial and moral condition of those communities. Have these colleges, as a whole,* stimulated industry, thrift, the inclination to settle down to the necessary hard work of the world, or have they bred idleness, indisposition to work, a vaporous ambition in politics, and that sort of conceit of gentility of which the world has already enough? If any one is in doubt about this, he can satisfy himself by a sojourn in different localities in the South. The condition of New Orleans and its negro universities is often cited. It is a favorable example, because the ambition of the negro has been aided there by influence outside of the schools. The federal government has imposed upon the intelligent and sensitive population negro officials in high positions, because they were

* This sentence should have been further qualified by acknowledging the excellent work done by the colleges at Atlanta and Nashville, which, under exceptionally good management, have sent out much needed-teachers. I believe that their success, however, is largely owing to their practical features.— *C. D. W.*

negroes, and not because they were specially fitted for those positions by character or ability. It is my belief that the condition of the race in New Orleans is lower than it was several years ago, and that the influence of the higher education has been in the wrong direction.

This is not saying that the higher education is responsible for the present condition of the negro. Other influences have retarded his elevation and the development of proper character, and most important means have been neglected. I only say that we have been disappointed in our extravagant expectations of what this education could do for a race undeveloped, and so wanting in certain elements of character, and that the millions of money devoted to it might have been much better applied.

We face a grave national situation. It cannot be successfully dealt with sentimentally. It should be faced with knowledge and candor. We must admit our mistakes, both social and political, and set about the solution of our problem with intelligent resolution and a large charity. It is not simply a Southern question. It is a Northern question as well. For the truth of this I have only to appeal to the consciousness of all Northern communities in which there are negroes in any considerable numbers. Have the negroes improved, as a rule (always remembering the exceptions), in thrift, truthfulness, morality, in the elements of industrious citizenship, even in States and towns where there has been the least prejudice against their education? In a paper read at the last session of this Association, Professor W. F. Willcox, of Cornell University, showed by statistics that in proportion to population there were more negro criminals in the North than in the South. "The negro prisoners in the Southern States to ten thousand negroes increased between 1880 and 1890 29 per cent., while the white prisoners to ten thousand whites increased only 8 per cent." "In the States where slavery was never established the white prisoners increased 7 per cent. faster than the white population, while the negro prisoners no less than 39 per cent. faster than the negro population. Thus the increase of negro criminality, so far as it is reflected in the number of prisoners, exceeded the increase of white criminality more in the North than it did in the South."

This statement was surprising. It cannot be accounted for by color prejudice at the North. It is related to the known shiftless-

ness and irresponsibility of a great portion of the negro population. If it could be believed that this shiftlessness is due to the late state of slavery, the explanation would not do away with the existing conditions. Schools at the North have been for a long time open to the negro. Though color prejudice exists, he has not been on the whole in an unfriendly atmosphere ; and willing hands have been stretched out to help him in his ambition to rise. It is no doubt true, as has been often said lately, that the negro at the North has been crowded out of many occupations by more vigorous races newly come to this country,— crowded out not only of factory industries and agricultural, but of the positions of servants, waiters, barbers, and other minor ways of earning a living. The general verdict is that this loss of position is due to lack of stamina and trustworthiness. Wherever a negro has shown himself able, honest, attentive to the moral and economic duties of a citizen, either successful in accumulating property or filling honorably his station in life, he has gained respect and consideration in the community in which he is known ; and this is as true at the South as at the North, notwithstanding the race antagonism is more accentuated by reason of the preponderance of negro population there and the more recent presence of slavery. Upon this ugly race antagonism it is not necessary to enlarge here in discussing the problem of education ; and I will leave it with the single observation that I have heard intelligent negroes, who were honestly at work, accumulating property and disposed to postpone active politics to a more convenient season, say that they had nothing to fear from the intelligent white population, but only from the envy of the ignorant.

The whole situation is much aggravated by the fact that there is a considerable infusion of white blood in the negro race in the United States, leading to complications and social aspirations that are infinitely pathetic. Time only and no present contrivance of ours can ameliorate this condition.

I have made this outline of our negro problem in no spirit of pessimism or of prejudice, but in the belief that the only way to remedy an evil or a difficulty is candidly and fundamentally to understand it. Two things are evident : First, the negro population is certain to increase in the United States, at a ratio at least equal to that of the whites. Second, the South needs its labor. Its deportation is an idle dream. The only visible solution is for the

negro to become an integral and an intelligent part of the industrial community. The way may be long, but he must work his way up. Sympathetic aid may do much; but the salvation of the negro is in his own hands, in the development of individual character and a race soul. This is fully understood by his wisest leaders. His worst enemy is the demagogue who flatters him with the delusion that all he needs for his elevation is freedom and certain privileges that were denied him in slavery.

In all the Northern cities heroic efforts are made to assimilate the foreign population by education and instruction in Americanism. In the South, in the city and on plantation, the same effort is necessary for the negro; but it must be more radical and fundamental. The common school must be as fully sustained and as far-reaching as it is in the North, reaching the lowest in the city slums and the most ignorant in the agricultural districts; but to its strictly elemental teaching must be added moral instruction and training in industries and in habits of industry. Only by such rudimentary and industrial training can the mass of the negro race in the United States be expected to improve in character and position. A top dressing of culture on a field with no depth of soil may for a moment stimulate the promise of vegetation, but no fruit will be produced. It is a gigantic task, and generations may elapse before it can in any degree be relaxed.

Why attempt it? Why not let things drift as they are? Why attempt to civilize the race within our doors, while there are so many distant and alien races to whom we ought to turn our civilizing attention? The answer is simple, and does not need elaboration. A growing ignorant mass in our body politic, inevitably cherishing bitterness of feeling, is an increasing peril to the public.

In order to remove this peril, by transforming the negro into an industrial, law-abiding citizen, identified with the prosperity of his country, the cordial assistance of the Southern white population is absolutely essential. It can only be accomplished by regarding him as a man, with the natural right to the development of his capacity and to contentment in a secure social state. The effort for his elevation must be fundamental. The opportunity of the common school must be universal, and attendance in it compulsory. Beyond this, training in the decencies of life, in conduct, and in all the industries, must be offered in such industrial institutions as

that of Tuskegee. For the exceptional cases a higher education can be easily provided for those who show themselves worthy of it, but not offered as an indiscriminate panacea.

The question at once arises as to the kind of teachers for these schools of various grades. It is one of the most difficult in the whole problem. As a rule, there is little gain, either in instruction or in elevation of character, if the teacher is not the superior of the taught. The learners must respect the attainments and the authority of the teacher. It is a too frequent fault of our common school system that, owing to inadequate pay and ignorant selections, the teachers are not competent to their responsible task. The highest skill and attainment are needed to evoke the powers of the common mind, even in a community called enlightened. Much more are they needed when the community is only slightly developed mentally and morally. The process of educating teachers of this race, fit to promote its elevation, must be a slow one. Teachers of various industries, such as agriculture and the mechanic arts, will be more readily trained than teachers of the rudiments of learning in the common schools. It is a very grave question whether, with some exceptions, the school and moral training of the race should not be for a considerable time to come in the control of the white race. But it must be kept in mind that instructors cheap in character, attainments, and breeding, will do more harm than good. If we give ourselves to this work, we must give of our best.

Without the cordial concurrence of all parties, black and white, local and national, in this effort, it will not be fruitful in fundamental and permanent good. Each race must accept the present situation and build on it. To this end it is indispensable that one great evil, which was inherent in the reconstruction measures and is still persisted in, shall be eliminated. The party allegiance of the negro was bid for by the temptation of office and position for which he was in no sense fit. No permanent, righteous adjustment of relations can come till this policy is wholly abandoned. Politicians must cease to make the negro a pawn in the game of politics.

Let us admit that we have made a mistake. We seem to have expected that we could accomplish suddenly and by artificial contrivances a development which historically has always taken a long time. Without abatement of effort or loss of patience, let us

put ourselves in the common sense, the scientific, the historic line. It is a gigantic task, only to be accomplished by long labor in accord with the divine purpose.

"Thou wilt not leave us in the dust:
Thou madest man, he knows not why,—
He thinks he was not made to die;
And thou hast made him: thou art just.

"Oh, yet we trust that somehow good
Will be the final goal of ill,
To pangs of nature, sins of will,
Defects of doubt, and taints of blood.

"That nothing walks with aimless feet,
That not one life shall be destroyed,
Or cast as rubbish to the void,
When God hath made the pile complete."

I. DEPARTMENT OF HEALTH.

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1. SYSTEMATIZED ALTERNATE VENTILATION AS APPLICABLE TO RUSSIAN *ÉTAPES* AND NEW YORK TENEMENTS.

BY EDWARD T. POTTER, OF NEWPORT, R.I.

[Read Tuesday morning, May 8.]

Automatic and constant ventilation, with comfort, is as yet only obtainable by costly, elaborate, and easily disarranged or neglected apparatus, involving the use of artificial heat. Without such apparatus, ventilation is a matter of personal attention, like washing one's self.

But the ignorant and careless, whether dwellers in tenements or convicts or others, are not likely to give personal attention to ventilation. And even the wise and careful cannot, by attention, command ventilation without the concurrence and help of their companions in the places to be ventilated or that of the officers in charge of such places.

Usually the officers in charge of places needing ventilation cannot be relied on to give the attention to ventilation requisite to secure it, unless required to do so by their superior officers. Nor, again, is it to be taken for granted that their superior officers will make that requirement except at the command of the highest authority. Nor can such command of the highest authority be carried out without a practicable and easily understood and easily practised system.

The object of this paper is to recognize all these difficulties, and to call attention to the fact that frequently ventilation can be, by being systematized, carried out without increased appliances, costly or cheap, and to suggest how this can be done with least discomfort to those for whom such ventilation is effected; second, to point out that discomfort during ventilation can be, and often is, lessened by alternate ventilation of adjoining rooms

or segregated spaces; third, to call to mind the need of more fresh air in general for all places where systematized ventilation is not practised; fourth, to effect the above-named ends in such a way as to enlist the interest, sympathy, and approval of those most interested and most able to carry out the suggestions here made.

Since "man's greatest enemy is his own breath," it is evidently wise to change *often* the air of each segregation, or enclosed space, occupied by man. If ventilation, by opening *wide* all the windows to the outside air of rooms and other enclosed spaces, be systematized and performed at fixed times daily, say before each meal, and for a fixed period, say five minutes each time, the lack of fresh air, in such places, and the diseases now caused by such lack of fresh air would be, in most cases, prevented. If such rooms or spaces be vacated at such times, such airing would be effected without their usual occupants suffering more than a temporary inconvenience. Those who vacate such rooms or spaces, if they are obliged to go into the open air, must be kept moving to prevent their taking cold while absent from the room vacated. But, where rooms or enclosed spaces adjoin, such rooms or spaces can be vacated and ventilated, as above named, alternately; and those who vacate them can go into the adjoining room or space, instead of into the open air, during the process, which need occupy only five minutes at a time three or four times daily.

This method we have called "alternate ventilation." Yet, while the name is new, the method, of course, is old. But hitherto the method, through practical always in the homes of the well-to-do, has been practised only empirically, and without recognizing its value, if formulated as a system and put forward as a specific against the evils of and from a lack of sufficient fresh air, such as prevails in New York tenements, London slums, Russian prison *étapes*, and elsewhere.

It is said of Delsarte that he gave his pupils what their common sense had given to the more intelligent and thoughtful of them; but he formulated these things, and so put them as tools, for constant use, in the minds of both the intelligent and unintelligent wherever his teachings might reach.

Besides the need of more systematized ventilation in New York tenements and London slums, as has elsewhere already been

set forth by the author and others, statistics from official reports of the Russian prison and medical departments show the need of more ventilation in Russian prisons, especially in those simply built *étapes* along the Siberian roads which are too numerous and too remote to have special arrangements for practical automatic and constant ventilation. We read in one case, however, of an official visitor ordering the doors at both ends of the *étape* to be thrown open on one occasion so that for a time a strong air might blow through the prison.

The effectiveness of the remedy here used once is noticeable, though, unless the prison was vacated while the wind was blowing through, the discomforts to its occupants, and the danger of taking cold while shivering in the draught without exercise, must have been very great. But such discomfort and danger is wholly unnecessary, because it can be avoided by vacating the space to be ventilated during the few minutes needed while the wind is blowing through it and securing a change of air, such as is really needed several times daily to ward off or lessen jail fevers, typhus, etc.

Another warden says: "When the weather becomes cold and stormy, the windows must be closed; and then there is no ventilation at all."

But there is no such necessity, if the art of changing the air of a room in cold weather without making it cold is understood and taught.

To empty the bad air out of a room and fill it with good air is as simple as, and need take no longer than, to empty dirty water out of a large bottle and fill it with fresh water. The colder the open air as compared with the air of the room to be ventilated, the more speedily will the bad air rush out of the room and fresh air take its place, as soon as the windows or doors are opened. The more the windows or doors which are opened and the wider each of said windows or doors is open, the quicker will the desired change of the air take place, and the less the segregation or room will be cooled in the process, and the sooner the windows may be closed and the occupants return to the now well-aired segregation or room. When the air of a room or other enclosed space is changed rapidly, by setting all its windows wide open, the room or space itself has no time to get cold or even cool. Walls, floor, ceiling, and whatever furniture it has remain warm, and so are warm to the

touch of those coming back into it as soon as the windows are closed; and the fresh air in it is quickly warmed by coming in contact with its walls, floor, ceiling, etc. Discomfort and the risk of taking cold from opening the windows to change the air of a room *are lessened in proportion to the rapidity of the operation.*

The converse of this is also true. The longer the time taken to change the air of a room or other segregation of space, the colder it gets, or parts of it get, and the more certain those entering it or remaining in it are to take cold from the draughts of air or chilled atmosphere or chilled surroundings, so produced. The bearing of this on all attempts to ventilate automatically and continuously, without first bringing the air to be brought in to the temperature of that to be expelled, is obvious.

The wish for an automatic system of ventilation, requiring no attention, is the offspring of laziness. But, though the wish cannot now nor perhaps for generations be gratified, people make it an excuse for not opening windows and changing the air of rooms. People do not like the trouble of opening doors and windows themselves; and neither servants, janitors, nor jailers can be trusted to do it, either before or after the company has left the place to be ventilated, nor while it is occupied, unless *fined* or otherwise *punished* when they omit to do it.

But, with an honest and fair attention given to changing the air of a room or *étape* three or four times daily, good ventilation is certain. Especially is this the case when the windows or doors which are opened open on opposite sides of the building. Stenches may still prevail if the persons in the rooms or segregations are dirty, or their clothing, or if excreta are allowed to stand in the room. But still the air breathed will have its entirely fresh supply of oxygen each time after such alternate ventilation is made use of.

It is to bring the value of a systematized use of such a simple and comparatively cheap method to the attention of the high authority whose call to men to seek universal peace is a fulcrum moment in human history that this monograph, as has been stated, is in part written. In part; for in New York tenement houses, in London slums, in countless cities and towns throughout the world, alternate ventilation can, if more fully made possible and made use of, prevent sufferings and diseases and deaths that come from bad air.

2. A PROPOSED PLAN TO BRING ABOUT THE IMPROVEMENT OF CITY MILK SUPPLY.

BY R. A. PEARSON, M.S., OF WASHINGTON, D.C.

[Read Tuesday morning, May 8.]

Milk differs from other foods in some important respects, of which the following are of interest in connection with the subject of this paper.

Its purity cannot be judged by its appearance. It is almost invariably used raw, thus making it a vehicle for easily conveying disease if it happens to have been infected. It is largely used by and is often the chief dependence of those who are in greatest need of pure food. It is an exceptionally nutritious and economical food. And it is easily adulterated and contaminated. These are some of the reasons which have led to the enactment of special laws or regulations relating to the production and sale of milk. In very small towns, where the residents are personally acquainted with those who sell milk and at least some of the purchasers are more or less familiar with the supplying dairies, the supervision of this food by public officers is usually considered unnecessary. But almost every city and many a large town in this country has a more or less lengthy set of ordinances on the subject.

It is usual to prescribe that all milk offered for sale shall contain specified percentages of total solids and fats, and the amounts most often named are twelve and three respectively. The sale of skim milk may be prohibited; but it is customary to allow it under one condition,— that the cans in which it is carried shall be plainly marked with large letters "Skimmed Milk." The sale of unwholesome or diseased milk is sometimes prohibited in general terms. Occasionally we find ordinances referring to the production and care of milk, and stating in some detail the conditions which should be found on dairy farms. They forbid the use of certain feeds for milch cows, and require the buildings to be cared for and the milk to be handled in a careful manner. Provisions for the enforcement of the law are almost always included, though this important feature is sometimes omitted.

As the primary purpose of milk laws is the protection of the public health, their execution is usually assigned to the City Board of Health. In some cases a special officer known as the milk inspector is placed in charge. Assistant inspectors collect samples at irregular intervals, varying in length from a few weeks to an indefinite period, from stores, wagons, and railroad stations where milk intended for sale is to be found. These samples are examined for fat content; and, if they are found to contain less fat than prescribed, a warning or prosecution follows. Thus milk-users are quite well protected against fraud, so far as the *composition* of milk is concerned.

The sanitary condition under which milk is produced and handled, on the other hand, receives comparatively little attention. This is more important than the chemical composition, but it is neglected for several reasons: First, as already suggested, the laws or ordinances may not cover this ground. Second, experience shows that it is much more difficult to enforce laws relating to the management of the herd and care of the milk than a law requiring a definite amount of fat or total solids in milk. Violation of the former is largely a matter of opinion; and milk inspectors and dairymen and juries and judges are liable to differ, while violation of the latter is a question of fact, and sufficient proof is easily furnished by the chemist. Therefore, as long as all the time of the inspectors can, as they suppose, be profitably spent in collecting samples for chemical analyses, they will likely do little else. Third, the inspection of dairy farms requires considerable time and expense, which are important considerations when the appropriation is very limited, as is usually the case.

In very few places is the attempt made to inspect all the dairies furnishing milk to a city. Sometimes a blank supplied for the purpose is required to be filled out and filed with the city authorities before a permit to sell the milk from a dairy is issued, and the permit will be withheld if the statements furnished are not satisfactory.

The Dairy Division of the Department of Agriculture has recently received reports on the supervision of the milk supply of a large number of cities and towns, and the following data from these reports are of interest in this connection: —

City.	Population.	Herds supplying.	Herds inspected one year.	Samples of milk examined chemically one year.	Samples of milk examined bacteriologically one year.
A. . . .	100,000	*	0	0	0
B.	500,000	*	126	15,000	0
C.	395,000	592	31	6,001	0
D. . . .	200,000	275	175	1,500	10
E.	225,602	*	285	2,947	*
F.	320,000	241	*	3,236	0

These are taken at random, and fairly represent many others. In a few cases it is reported that the authorities know impure milk is being regularly sent into the city, and they are powerless for one reason or another to stop it.

It is hardly necessary to describe the conditions of the dairy farms more than to say there is the greatest variation in them. Some are conducted in the best possible manner, while others are so unsanitary that they should not be the source of supply of a delicate and important food. And the milk consumers cannot always tell from which their supply comes.

Thus, briefly, we have some of the principal facts as to the present system of city milk supply. What can be done to improve it?

The sterilization, pasteurization, filtration, and other methods of purifying milk have often been suggested and tried, but without entire success. The rational method is to adopt some plan that will cause the delivery in cities of pure natural milk, which does not need to be subjected to special treatment to overcome the result of unnecessary contamination or neglect in its production or care. The scheme would necessarily include the observance of all the conditions and methods of handling milk which modern science and practice have shown to be both necessary and practicable.

It would be next to, if not quite, impossible to enforce the universal adoption of such a scheme; but, if it were made suffi-

* Not known.

ciently attractive. some conscientious dairymen and dealers (and there are many of them) could be induced to adopt it formally as they have already done practically, receiving as a reward an official certificate, stating that the management of their dairies is approved and their milk is handled in the proper manner. The certificate would be a valuable help in securing new trade. In addition to this the names of the "approved dairies" might be occasionally published.

This method is a direct opposite to the present method, in that it gives prominence to the very best instead of the very worst, and emphasizes the fact that good milk is on the market instead of continually informing the public that adulterated and impure milk is being sold. Therefore, instead of alarming milk consumers, and decreasing the quantity of milk used, it would reassure them and increase milk consumption. The voluntary feature is another advantage; — no dairyman need enter into or be bound by the plan unless he wishes. Again, it makes it possible for the consumers to secure the best milk produced, as it gives reliable information where it can be found, — a question that cannot always be decided either by the appearance of the milk or the statements of the vendors. It is a fact in dairying as well as in other lines of business that unscrupulous persons sometimes make the same or stronger claims than their honest competitors, without having the slightest right to them. But the most important advantage would be the beneficial effect that a marked improvement in a few dairies would have on the entire milk supply. This is known to be the case where well-conducted dairies are now in operation, and with their increase it would be more apparent. The poorest would be obliged to improve to keep their trade.

The plan might be practically worked out as follows: Let a responsible body of citizens who are interested in an improved milk supply and have the confidence of the community organize as a Milk Commission. They should select and arrange to secure the services of, when needed, four experts, — a veterinarian, a physician, a bacteriologist, and a chemist, all more or less familiar with the conditions and possibilities on dairy farms. A circular should be sent to each dairyman supplying milk to the city, plainly stating the conditions that should be found on every dairy farm and announcing that any dairyman who will conform to all the conditions named, to the satisfaction of the commission (who will be

guided by the experts) will receive an official indorsement which he can use in any proper manner in securing new trade.

Great care should be taken to have the conditions plainly expressed. They should refer in unmistakable terms to the essentials in connection with the herd, buildings, equipment, and methods of conducting the work and handling the milk. Such an expression as "the stable shall be well lighted" should be avoided, as it would be understood differently by different persons, while "there shall be at least three square feet of unobstructed window glass to each animal," could not be misunderstood. And all necessary conditions should be stated as plainly.

The *personnel* of the commission is, of course, very important. It might be composed of any competent persons not in the business, but interested in the subject. As the changes needed are mainly along sanitary lines and are for the good of the public health, the medical profession would naturally take a prominent part in the movement. A representative voluntary organization might be formed for this purpose, but a committee appointed by a board of health or a leading medical society would start work under more favorable auspices. Care should be taken to have the efforts of the committee approved by public opinion.

The expenses incident to the plan, unless otherwise provided for, should be met by those deriving the pecuniary benefits. Doubtless the members of the commission would serve without remuneration except for actual expenses, but it would be necessary to pay reasonable rates for the services of the experts and the secretary of the commission. The increased receipts from higher rates and enlarged trade should enable the dairymen to pay fees for certificates that would cover necessary expenses.

But there are good reasons why the scheme should be in charge of public officials and the expenses paid from the common treasury. As already stated, the adoption of this plan would have a decided effect in improving the entire milk supply, which is the same end toward which present methods are working. If the general average condition of the milk supply could be improved more rapidly, and with less expense, by encouraging the best class of dairymen than by discouraging the worst, there would seem to be sufficient reason for using some public money in this way.

It is seen that the plan proposed is one to encourage the so-called model dairies. It is not entirely novel. Modifications of it

have been given thorough trials and proven to be successful. Some definite cases might be given. Suffice it to say, however, that the principal features of the plan have been adopted at several places and with the best of results.

More persons than generally supposed are patiently endeavoring to place upon the market a milk which is as pure as can be made, and their efforts have met with less reward than deserved.

They look at the matter in this logical way: Pure milk is wanted. It is pure when the healthy cow makes it. Why should it be allowed to become impure, and then subjected to some treatment in an endeavor to overcome the effects of negligence, when with proper care it can be kept pure? The standards of these persons are far above the laws and regulations. If they are shown that by any reasonable change of methods or outlay of capital they can produce better milk, they are glad to make the improvement. They are trained in their work, understand the main principles of breeding, feeding, and caring for milch cows and handling milk. From every standpoint, these careful milk producers deserve encouragement. They meet with dishonest competition, and their cost of operation is a little more than the ordinary. They should be helped to secure trade. And this is not a one-sided argument, for many milk-users are as anxious to find the best dairies as the best dairies are to find an outlet for their product. The plan proposed would serve both producers and consumers.

3. ARE BACILLI THE CAUSE OF DISEASE OR A NATURAL AID TO ITS CURE?

BY CHARLES E. PAGE, M.D., BOSTON, MASS.

[Read Tuesday morning, May 8.]

To assert that the truth or untruth of the germ theory at present prevailing may be definitely settled by a yes-or-no answer would, in view of the immense preponderance of opinion in the profession in support of the theory that germs are the cause of most, if not all, diseases, seem rash and crude. And yet, the longer I consider the subject, the more thoroughly am I convinced of the practical accuracy of the position that in every instance of disease or, rather, I should say of sickness (which should always be regarded as Nature's means of curing disease), the so-called germ is actually the product or result, and not the cause, and that the germ theory as at present held is another instance, in medicine, of cart before the horse. Many pretty theories in medicine, though leaving us seemingly helpless against disease, while we spend our time searching for the unattainable, seem to captivate the professional mind to-day quite as easily as at any previous time in the history of medicine.

"I do not question the existence of infinitesimal micro-organisms;" says Alexander Ross, M.D., F.R.S.L. "They have existed since the world began, and may be found at the top of the highest mountains, in the depths of the lowest valleys, on the level plains, in running streams and stagnant pools and hundreds of miles at sea. They are found in abundance in the purest water. Myriads of little organisms enter our bodies at each breath, without doing the least injury. They are scavengers. Their legitimate work is to clean out the sewers of our bodies. Wherever there is decay or decomposing matter, these life-savers are engaged in their business of neutralization, sanitation, and purification. They feast upon the effete and decaying animal and vegetable matter. They never injure the healthy, but are the natural friends of the diseased. They are nature's physicians, constantly employed in preventing

decomposing and worn-out matter from clogging the machinery of the animal organism. The human mouth, throat, stomach, intestines, and lungs are inhabited by millions of these little sanitarians. They are the natural benefactors and helpers to an important end, — the maintenance of health and the promotion of long life."

Professor Jacobi has remarked that it may be possible that we can learn how to poison and exterminate the so-called germs, but in so doing we may kill the patient; and, in fact, this sort of bad practice has been observed, and with fatal results. When we go into battle and fail to distinguish friends from foes, we are tremendously handicapped. And, if we make an analogous blunder in our diagnosis and treatment of disease, our patients are likely to "die cured." In this connection the experience of Drs. Babi, Perron, and Gimeno (*Lancet*, April 30, 1898) is of great significance: "When dealing with tuberculosis of the lungs, the microscope having revealed the presence of the Koch bacillus, but the patients without fever, night sweats, or yellowish-green sputa, the results from experiments with serum from donkeys were somewhat amazing, as well as disastrous," says the account. "Treated with the serum, their general health at first seemed to improve [poison stimulation],* and the number of Koch bacilli decreased in notable proportions. In two cases the last sputa examined showed that the Koch bacilli had entirely disappeared. But, with the disappearance of the specific bacillus of tuberculosis, hectic fever set in; and one patient died in eight days, and the other in ten, with the symptoms of septic poisoning."

But even here the doctors failed utterly to get the true lesson from their disaster. They fancied that their failure resulted from employing the Koch bacillicide only. The streptococcus and staphylococcus pyogenes increased under the treatment. If they had been as well prepared for these micro-organisms as for the Koch bacillus, "possibly," they remarked, "the results might have been different." In this I am inclined to agree, in a way; for the patients might have died a little sooner.

At a meeting of the British Medical Association the president's address in the section on State Medicine was delivered by Dr. George Wilson, who spoke with great frankness on the relations of bacterial research and methods of treatment to preventive medicine. He began by saying that Pasteur's prophylactic inoculations

* Brackets supplied by author.

are based on errors, and are the outcome of illogical inductions, every one of them. The indiscriminate maiming and slaughtering of animal life with which these bacteriologic methods of research and experimentation have been inseparably associated cannot be proved to have saved one human life or to have lessened in any appreciable degree the load of human suffering.

The few pathogenic microbes which bacteriologists have discovered associated with human disease, and which they can isolate and cultivate, are those of tuberculosis, diphtheria, enteric fever, cholera, and plague; "but all these," continues Dr. Wilson, "are found associated with necrosed tissues, and it is open to argument whether, instead of being labelled the unconditioned *causæ* of those respective diseases, they may not be performing a benign function in changing the necrosed tissues into harmless products, just as various kinds of micro-organisms are necessary to change filth and all dead organic matter into harmless matter. The bacteriologist so dominates the public press that we almost seem to live in a bacillus-stricken world; and, so far as preventive medicine is concerned, bacteriology has rather led us on false lines in assuming that the pathogenic microbe of any disease is the *causa causans* of that disease. . . . We can only fight phthisis on the old lines, by improving heritage when it is possible, by improving the homes and conditions of life and labor, which are always possible and always call loudly for interference."

With regard to the misleading results of experiments on animals and the false conclusions of bacteriologists in this department, Professor Semmola, director of the Therapeutical Clinic of the Royal University of Naples, remarks that "experimental medicine will ever be unable to reproduce in the laboratory the diseases which nature shows us. Hence any so-called scientific construction of the evolution of this or that disease, when based on laboratory researches, will always be a hypothetical one, false at least three times out of four, and hence a dangerous and mistaken guide for the practical physician who may adopt it as the true key to treatment.

"We cannot afford to be led into error in this respect; and I wish that younger men should take it to heart, so that, when they enter upon the fields of their work, they may not in the name of progress become destroyers of humanity, and, what is worse still, of the art which by irony is called the healing one! . . . In regard

to a beneficent curative influence produced by an infection, it must be considered as a sort of vaccination performed by nature, in which one nail drives out another, or, if you prefer it, one infection becomes the antidote of another. But in what pharmacy may we secure such an antidote? No one knows. Koch believed he had discovered it for the cure of tuberculosis; but his illusion was evidently the effect of a naturalistic error, for, if he had reckoned that we can obtain no law, in regard to artificial or specific immunity, whichever you please, practised upon an intra-organic ambient whose chemical composition escapes us, he would easily have understood that the problem was not experimentally possible, and could hence only lead to absurdity. And so it has happened."

Under the title of "Why Quackery succeeds," Dr. Eden in the *Lancet* (*Medical Record*, Jan. 13, 1900) deplores the fact, and declares it a reproach to us, that with all our boasted scientific progress the practice of the healing art, except in the domain of surgery, is making such scanty advancement. "We are all so keen on scientific problems," he says, "that we lose sight of the fact that in the eyes of our patients our value depends upon the amount of relief we are able to bring them. They do not pay us for an elaborate diagnosis or a learned discourse: they want to be *cured*. One of the most accomplished physicians I ever knew," he said, "took little or no interest in his patients between the clinical stage of diagnosis and that of the *post-mortem* examination." In view of the probable treatment, with potent drugs, by that sort of a doctor, there would doubtless be a large proportion of fatalities; and, in the present writer's estimation, it is not irrational to conclude that the rise of the mental scientist, the osteopathist, and various other one-string harpists, has been due to an excess of this sort of medical practice. Dr. Eden explained why it is that "quacks succeed," — because they make so many cures,— a very good reason, indeed. He did not embrace in his list of quacks who cure Christian Scientists, neither would I; though beyond a doubt many of their patients get well or get better from good cheer and the abandonment of drugs. He had reference to empirics, as hydropathists, osteopathists, and dietists.

Harold Frederic did not denounce physicians and permit himself to die under Christian Science auspices because he had confidence in the latter "treatment," but because he knew that potent drugs were apt to prevent recovery; and he desired that, at

least, Nature should not be handicapped in her efforts at cure. Frederic evidently did not know any hygienic physicians. The hygienist has at his command so many potent remedies * — massage, hydrotherapy, diet, etc.— that in no end of cases patients who would die under the still prevailing drug treatment are readily cured. Dr. Coggeshall, in a recent discussion before a medical society, declared that "it is disgraceful that our students are allowed to graduate from our medical colleges with practically no systematic teaching in regard to non-medicinal therapeutics." Kussmaul writes: "Of hydrotherapy the young physician knows almost nothing. Here is a great gap in the education of our physicians. Here is the real cause of their inability to cope with the empirics for the favor of the public." And Professor Crede of Leipzig states that, "if physicians were better versed in these branches, the field of operation of many quacks would be greatly curtailed," which is only another way of saying that many "quacks" are more efficient in practice than the average regular,— an admission as true as it is shameful. While the scientific germ-hunter is ransacking the shelves of the pharmacists for an antidote, say for the typhoid bacillus, the plain hydropath is saving his patient from forced feeding; and with his baths and packs he is bracing the nervous system of his patient, and multiplying (unwittingly perhaps) the millions of leucocytes. The skin is kept moist. His treatment prevents blood-poisoning from the absorption of putrescence in the alimentary tract, since nothing but water is allowed to enter it till the patient is convalescent. In brief, he helps Nature, instead of hampering her. The difference between the two systems is shown in the death-rate: 15 per cent. under the prevailing drug and forced-feeding treatment, 4 per cent. or less under skilled hygienic methods.† We find practically the same difference in the mortality in diphtheria, pneumonia, influenza fever (grip), etc. In conclusion, it is high time that we considered the problem of having less "science" and more sense, lest we lose our patients into the hands of more practical physicians. We must learn that true science and good sense are always in accord with each other.

* See article on typhoid fever by present writer in New York *Medical Journal* for March 3, 1900.

† Brand, Vogl, and Juergensen treated 1,223 cases of typhoid fever, with 12 deaths, or only 1 per cent., by hydrotherapeutic methods.

4. A PLEA FOR RAIN BATHS IN THE PUBLIC SCHOOLS.

BY WILLIAM PAUL GERHARD, C.E.

[Read Tuesday morning, May 8.]

Sanitary science teaches that infectious diseases can best be prevented by the speedy and regular removal of all dirt and waste refuse from the centres of population. This axiom applies not only to our city streets and habitations, but also to the human body. One of the functions of the skin is to continually secrete waste products from the body. During this process the outer layers of the skin are continually cast off and renewed. The clothing which civilized human beings wear forms an obstruction to the immediate removal of the dead and cast-off matter: hence the skin excretions are retained on the same longer than is desirable. The waste matters form an incrustation on the skin, are then subject to decomposition, give off bad odors, and impair the proper function of the skin. The chief reason for wearing underwear is to prevent the skin dirt from attaching to the outer clothes, but some of it remains in the under-garments until these are sent to the laundry. Bacteriologists have discovered in such clothes not only dirt and layers of the skin, but also many bacteria and disease germs. It is obvious, then, that both the skin of persons and their underclothing need frequent cleaning, the one in the bath, the other in the wash.

Among the chief causes of air contamination in school-rooms are: first, the lack of bodily cleanliness of many school-children, and, second, dirt accumulated both in the pupils' underwear and also in their outer garments.

Ventilation of rooms is usually understood to comprise means for the removal of foul air and for the introduction of a sufficient quantity of purified air, warmed during the winter season, and admitted in such a way as to avoid any draught. I assert, however, without fear of contradiction, that in school-rooms the best system of ventilation must fail to remove entirely the odors arising from unwashed bodies and from unclean garments. It is a matter of common observation that the air of a class-room can be ren-

dered much purer by a removal of the pupils during recess and by some energetic air-flushing accomplished by opening all windows than by the best ventilating system, and this for the obvious reason that two of the chief sources of air pollution — the children themselves and their clothes — have been removed. Therefore, it follows that the above generally accepted definition of "ventilation" is imperfect, that something more is required than the mere introduction of pure air and the removal of foul air. What we must do in ventilating rooms or audience halls is to remove entirely or to keep out all direct sources of impurities which contaminate the inside air. Applied to buildings in general, this means that plumbing fixtures, traps and pipes, which may contain sewer air, must be made free from defects or leaks, that gas leaks likewise must be repaired, and that there must be no accumulations of organic waste matters, like garbage. In school-rooms, in particular, it points to the desirability of frequent and thorough ablutions of the children. Incidentally, it shows that it is desirable to remove from class-rooms the usual wardrobes for the overcoats, head coverings, umbrellas, and rubber shoes of the pupils. Even where such wardrobes are provided with special ventilating flues, the odors from a large number of damp clothes are apt to assert themselves unpleasantly. It is vastly better to arrange the wardrobes in the corridors outside of the class-rooms, or else to provide special hat and coat rooms for pupils near the entrance halls of the school. The ventilation system adopted for a school-house, whatever it may be, can be a success only if all sources of noxious emanations are done away with.

The purpose of my paper is to advocate the introduction and establishment of "rain baths" in the public schools. I do not wish to be understood as considering school baths an absolute necessity in *all* public schools. Some school buildings are located in good neighborhoods, and are attended by the children of people who are tolerably well-to-do, and in whose homes cleanliness can be, and is usually, attained. Public schools located in the tenement districts, on the other hand, are very much benefited if some method of bathing the children during school-hours is provided; for the largest percentage of the tenement-house population must go without a bath the year round. In the narrow, dark, and ill-ventilated quarters which they call their "homes," opportunities are seldom afforded for thorough ablutions.

Some years ago Dr. Hunter Stewart, of Edinburgh, read a paper entitled "Ventilation of Public Schools," in which he suggested the establishment of "soap and water" baths in schools, assuring his audience that "the use of such would go far to purify their atmosphere." Dr. Oscar Lassar, one of the earliest champions of the rain bath, asserted that the air of theatres and audience halls, generally, was polluted not so much by the products of gas illumination and the respiratory process as by the noxious exhalations emanating from ill-kept skins, and intensified by the heat due to the crowding together of many persons.

The late Sir Edwin Chadwick, in advocating school baths, said, "Of the lessons that may be taught in the schools, the practice of cleanliness is of the highest order." In a review of the progress of sanitation during the year 1888, he called attention to new bathing apparatus especially applicable to schools, by which a child may be completely washed in three minutes. "Look at the comparative sanitary result of the washed children of a whole school," he says, "as against the common one of the fouled air and badly washed children. Look at the service to the poor mother who has no means of washing the children at home."

From Kotelmann's book on "School Hygiene" I quote as follows:—

> If cleanliness does not prevail in the school-room, and the air is constantly being polluted by filth, no amount of ventilation will prove sufficient. Cleanliness should extend, in the first place, to the pupils themselves. Not only ought their bodies to be scrupulously clean, but also their clothes and shoes.
>
> In connection with this matter the school shower baths introduced by the city of Goettingen deserve more attention from higher institutions of learning than they have hitherto received. For one thing they promote the cleanliness of the skin; and, for another, they lead the pupil to desire clean underclothing.

These and similar observations agree entirely with those of the writer, and serve but to confirm the suggestions made in this essay.

It is a deplorable fact that the children of the poorer classes of a population, who form the largest attendance in the public schools, particularly in the elementary grades, often show an utter disregard for and lack of personal cleanliness. In the tenements the children usually have no facilities for bathing and keeping

clean. They may wash their faces and hands daily,— and this usually, too, in a hasty manner,— but the feet are bathed only at rare intervals, and in many cases the main body receives no ablution the entire year. In fact, observation shows that many poor children have not the desire for a cleansing bath at regular intervals; for, though we see them flocking to the free floating baths in summer-time in cities situated on rivers or near the seashore, they are attracted there solely by the wish to enjoy the refreshing sensation of the bath or to practise swimming.

Assuming, therefore, that school baths are desirable, if practicable, the question arises, What form of bath should be used in schools? This is answered by considering the object in view, which is to afford the children inexpensive, quickly applied means for ablutions of the whole body. For such a cleansing bath, warm water and soap are required. The former loosens the outer incrustations of the skin, composed of dirt particles and epithelial cells, while the alkali of the soap cuts the grease excretions and assists in removing them.

Warm baths can be given in large swimming basins, in tubs, and, finally, by means of simple sprays or douches. Swimming basins are ill adapted for school baths; for they are not only very costly to build and maintain, but are not intended for washing and ablutions, and the common use of the water in swimming basins involves the possibility of the transmission of infectious diseases. Warm tub baths are likewise unsuitable; for they are more expensive than sprays both in first cost and in maintenance. They require much more space and a very much larger quantity of water. They also require more time in filling and in emptying and more labor and attention to keep them clean. In the tub the bather is surrounded by dirty water: whereas in the rain bath a constantly fresh stream of water pours down upon his body, and at once flows off to the sewer. In fact, the same arguments which point to the superiority of the spray or rain baths for people's baths are applicable in their entirety to school baths.* I may reasonably assume that some of the audience are acquainted with my former essays advocating the introduction of the rain bath. Not the least of the advantages of the douche over the tub bath is that it stimulates the action of the skin by the mechanical effect

*See the author's essays on "The Modern Rain Bath" and on "Bathing and Different Forms of Baths."

of the drops of water, and hence renders children more active after the bath, more bright, more eager to learn, and makes them show interest in their studies: whereas a bath taken in a tub has the contrary effect, being usually debilitating. The spray bath is both cleansing and stimulating; and, if followed by a gradually colder douche, subsequent catching cold may be prevented, and the body is hardened against many forms of disease.

The particular form of douche which I would recommend is the shower of tepid water from an inclined overhead rose or sprinkler

FIG. 1.

head, having a large number of perforations, each about $\frac{3}{32}$ inches in diameter. The rain bath is sometimes spoken of as a modern form of bath, while others aptly call it "the bath of the future." Dr. Oscar Lassar, in an essay,* read at the meeting at Cologne held on Sept. 18, 1888, of the Association of German Naturalists and Physicians, has drawn attention to the fact that a Greek vase, recovered from the excavations at Volci, an ancient Estruscan city, located near the shores of the Tyrrhenean Sea, which vase is now said to be in one of the Berlin imperial museums, proves that the rain or spray baths were well known to the Greeks. In a description of the new public bath-house at Breslau, Prussia, Dr. Kabierske illustrates another Greek vase, on which is

* "Die Kultur-Aufgabe der Volksbaeder."

represented a woman's bath, which shows clearly that the use of the inclined overhead douche was known to the ancient nations. (See illustration, Fig. 1.)

In taking the ground that the spray bath is the best form of bath for use in public schools, I do not wish to be understood as underestimating the beneficial effect of swimming baths. However good swimming as a form of athletic exercise may be, the school-house proper cannot be regarded as the place for practising such exercises.

The *advantages of school baths* are numerous. In the first place, the school-children are offered the opportunity of a weekly cleansing bath, which in most cases they lack in their homes. The children are readily kept clean; and this in turn, as already indicated, is a powerful help in keeping the air of the class-rooms free from disagreeable odors. In addition to the direct benefit derived from bathing, there is the indirect advantage resulting from the children being taught and brought up to appreciate cleanliness. In the early summer days a dash of water from a cooler douche serves to refresh the body and to reduce its temperature. Moreover, the bathing together of many children necessarily has the effect of making them more tidy as regards their undergarments. This, in turn, cannot help exerting a beneficial influence in the children's homes; for parents will naturally strive to keep their children cleaner and their garments neater, when they know that in undressing together slovenliness of the dress or raggedness of the underclothes, due to the mother's carelessness or inattention, may reflect unfavorably upon the children. To a certain extent the bathing of children in public schools will exert a beneficial and wholesome influence in fostering habits of cleanliness among the people generally. Above all, the habit of taking baths at regular and frequent intervals, if cultivated and taught during the period of early childhood, is bound to exert a wholesome influence upon the later periods of life.

For all these reasons, school baths may rightly be considered to be a moral factor in the education of the young. The results even extend further, and include the betterment of their home life and surroundings.

Is it not a fact that, besides being a detriment to health, lack of cleanliness gradually leads to loss of self-respect, to bad

habits, vulgarity, and vice? In a measure, school baths even help to reduce the sharp contrasts which exist between the laboring classes and the well-to-do people.

Experience teaches that a school janitor can readily manage the bathing apparatus and control the bathing of the boys, while the janitor's wife may take charge of the bath-room for the girls. The hour for bathing can be set so that it will not interfere with any important studies; but it is well to bear in mind not to continue the bathing during the last school-hour, in order not to expose the children to the danger of catching cold when they leave the school. A good way to avoid this danger at all times is to have the tepid douche followed by a cold douche of short duration, in order to close up the pores of the skin and to harden the body in general.

It may be asked: Are not school baths unnecessary in those cities or city districts where people's baths are maintained by the municipality? In answer, let me state that up to the present time there is not, in any city of the United States, a sufficient number of free baths for the people. In the State of New York, for instance, a law was passed in 1893, making the establishment of free people's baths mandatory; yet no free baths have been added so far to those few which existed prior to the passage of this legislative act, except in some of the smaller cities. In New York City some people's baths are now under construction. In Brooklyn, no effort whatever has been made lately to erect any free baths open all the year round. Again, experience in European cities, where it has been the custom to give free tickets for the public baths to the children of the public schools, has shown that neither the children nor the parents appreciate the offer sufficiently.

Before presenting a few illustrations of plans for school baths, let me say a few words about how the establishment of spray baths in the public schools originated. History informs us that in ancient Greece gymnasia and swimming baths were often attached to schools. In modern times a few of the schools in England were provided, some with tub baths, others with bathing pools. At one of the large Berlin gymnasiums (high school) there is a complete swimming bath, besides five tub baths for preliminary cleaning. The credit of introducing spray baths into the public schools belongs to Professor Fluegge and Mayor Merkel, both of the university town of Goettingen in Germany.

The first trial was made there in 1885, in one of the public schools, by fitting up in the basement a bath-room, 8 feet long by 16½ feet wide, an adjoining apartment of the same size being used as a dressing-room. The walls were finished with cement, and the floors asphalted and covered with a wooden lattice floor. Three large vertical douches were installed; and under each was placed a zinc pan, about 3¼ feet in diameter and about 15 inches high, to which a waste pipe was attached. The douches were arranged to run simultaneously, three children being placed under each douche. The janitor controlled the mixing of the hot and cold water, and the children were not permitted to touch the valves. Two months after the baths were put in operation, 75 per cent. of the children bathed regularly, although the bathing was not made obligatory.

Later on the greater advantage of the *inclined* douche was recognized; and it was also found necessary to provide larger dressing-rooms, so that twice the number of children bathing could be accommodated. In this way the bathing of a class was quickly accomplished.

The success of the school baths at Goettingen was so great that hygienists, school-teachers and principals, city architects, and others visited the new baths in great numbers.

The idea became at once very popular, and in a very short time a large number of German cities provided spray baths in some of their school buildings. I will mention only a few of these out of a large number. In Weimar they were introduced in 1886, and soon out of 1,300 children 910 took the baths. In Magdeburg four schools have spray baths. Koenigsberg has two school-houses with baths. Berlin had in 1896 four school baths. Breslau had four in 1887, and since then five more have been installed. Posen has one school bath. Frankfort-on-Main had in 1896 three; Hannover, nine such baths, in which about 100,000 baths were given in six years. Cologne has several schools so fitted up, and in Altona a large school-house has a special spray-bath pavilion arranged in the centre court between the two wings of the school building. More recently school baths were erected in several of the schools of Zuerich (Switzerland), also in Kopenhagen (Denmark), Christiania (Norway), and in Paris. Wherever such school baths were introduced, their success was almost instantaneous, and so great that the boards of education decided to include

baths in the specifications for all new school buildings. At the annual meeting, in 1886, at Breslau, the German Public Health Association passed resolutions indorsing and recommending school baths for public schools, modelled after those first introduced at Goettingen. There is not a single instance on record

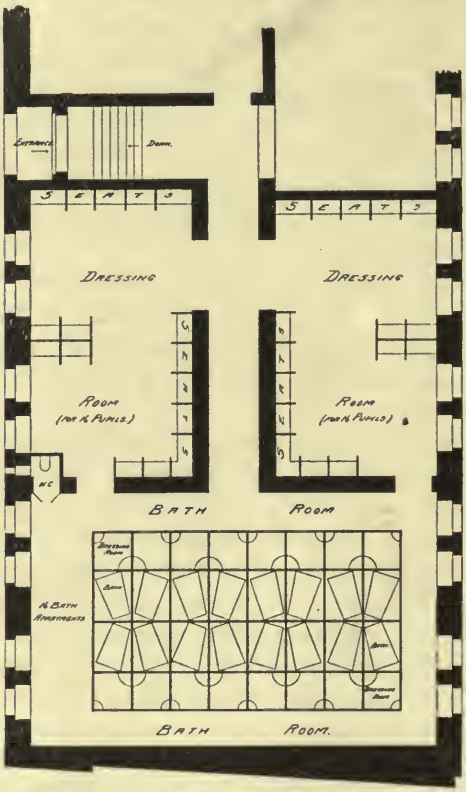

FIG. 2.

where the bathing arrangements placed in public schools were put out of use on account of a slim attendance.

Soon after the year 1891, when the idea of people's rain baths was first agitated in the United States, a high-school building in Scranton, Pa., was fitted up with spray baths under the direction of Theodore P. Chandler, an architect of Philadelphia.

In a report on school hygiene and school-houses written by Dr. A. G. Young for the seventh annual report (1892) of the

State Board of Health of Maine, the German school baths are referred to as follows: —

The advantages of the school baths observed in European schools are bodily cleanliness of the child, greater care on the part of the parents in keeping the clothes of the school-children neat and clean, improvement of the condition of the school-room air, a gain in the physical health of the pupil, and the increase in the mental freshness and activity, There results, therefore, a physical, a moral, and an intellectual gain. Moreover, from more than one of the towns where school baths have been opened, comes the testimony that a good reflex moral influence has been exerted upon the parents and families of the pupils.

In 1895 the writer published a brochure on "Bathing and the Different Forms of Baths," from which are quoted the following paragraphs regarding school baths: —

. . . The manifest advantages that have come from the establishment of school baths in the old countries render it evident that their introduction into some of our own city schools is an experiment worth trying.

Experience teaches that the air of school-rooms is badly contaminated by the emanations from the children's bodies and by the odor from their clothing. All attempts to improve the sanitary condition of schools will fail to accomplish their object thoroughly if means are not provided to cleanse the bodies of the pupils. Cleanliness of school-children will make the ventilation of school-rooms an easier problem; and, further than that, it will tend to increase the appreciation for cleanliness in the lower classes of population, and thus indirectly stimulate bodily and, often, moral purity in the home circle.

The first one to suggest the advantages and the necessity for school baths was, I believe, the late Dr. Alfred Carpenter, of Croydon, England. In his lectures on "Preventive Medicine in Relation to Public Health," delivered in 1877, he discussed the subject as follows: —

Every public elementary school ought to have a proper washing-place, so that the children might wash the whole of the body, at least twice a week, as well as their hands and face. . . . Is the custom of wearing the same dirty garments day after day, getting daily more filthy, an unavoidable one? It is this custom which makes the air of rooms so unwholesome, in which the lower classes of children assemble, and which frequently produces the first seed of evil in the constitution, especially when they go into the room damp from the effect of a drizzling rain. Every one accustomed

to a badly ventilated school-room knows that it is the smell from damp and dirty clothes which is the principal source of the offensive atmosphere. . . . I contend that school baths are necessary for the education of the great mass of our poor as much as, if not more so than a knowledge of geography and astronomy or even of history. It will be impossible for the people to be godly until they are instructed in the way of cleanliness. Cleanly children will acquire a dislike for personal dirt, and retain it to the end of their lives. They will make more effort to raise themselves from below the level of brutes to that of Christians than they otherwise would if allowed to remain accustomed to filth. Use becomes

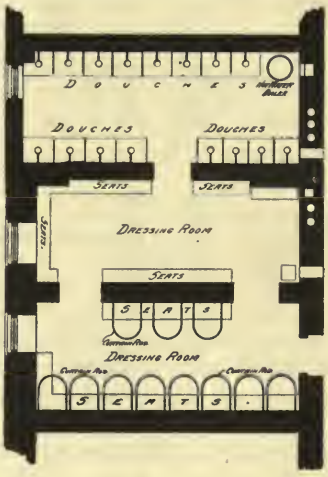

FIG. 3.

second nature, and second nature in a century or two becomes instinctive.

It is only by educating our poorer classes in cleanliness in early life that we shall make them, as a whole, love it for its own sake, and hate dirt and those habits which tend to make man lower than the beasts of the earth,—too often now arising from an acquaintance, an intimate association, with dirt and dirty homes among the poor. Poverty may be clean; and with cleanliness the first step will have been taken to do away with the evils which follow in its train, and that health secured which riches without cleanliness cannot possibly purchase.

Of the three classes of baths,—the tub bath, the shower bath, and the swimming bath,—the first, namely, tubs, are not well suitable for schools, as a very large number of fixtures would be required to bathe all the children. The space for the tubs cannot always be found in a school building; and the process would nat-

urally be slow, and result in serious inconveniences. Moreover, tub baths would require the outlay of a vast sum of money.

Swimming baths in schools would be good, as far as giving an opportunity for bodily exercise is concerned. For a cleansing bath, however, the swimming bath is not well suited, for reasons explained heretofore; and here again the tepid shower or rain bath offers immense advantages.

To Professor Fluegge and Mayor Merkel, of the German university town of Goettingen, belongs the credit of having first tried the experiment of rain baths in the public schools about the year 1885.

Groups of children are bathed together; and care is taken not to give the children the baths at the end of the school session, so that the children will not catch cold in going home. After some use of the baths it is found that the children enjoy them; that their minds become more active and more attentive; that the baths induce a better cleanliness in clothing, and particularly in the underwear; that the parents pay more attention to the cleanly and neat appearance of their children; and, finally, that the air of schoolrooms is greatly improved.

At first some teachers and boards of education raised trivial objections to the introduction of bathing in the schools. They claimed that the school was not the place to educate children to appreciate the cleanliness obtained by bathing, that this belonged to the family. Fear was expressed lest the children would catch cold: whereas experience has proven that the bath hardens the body. Others objected to the cost, claiming that people's baths, and not school baths, were required. A few finally objected to the bathing being made compulsory: whereas experience in the schools demonstrated the fact that the children all soon became eager to bathe.

In the German schools, bathing has become very popular; and the movement is rapidly extending, so much so that recent school buildings are rarely constructed without rain baths for boys and girls in the basement.

In this country there are as yet but few school baths. One on the rain bath principle was erected in a high school at Scranton, Pa., a year or two ago. At Manistee, Mich., a company erected people's baths in 1885; and one of the aims of the company was to get as many children as possible to take regular baths by distributing tickets to the school-children.

In February, 1885, a sub-committee on baths and lavatories of a citizens' committee in New York City made a report recommending the erection of people's baths in the tenement districts, and also the equipment of public schools, where practicable, with baths in the basement; and favored the adoption of the rain bath system because "there is no waste of water, because the cost of erection is very moderate, and because the system is characterized by cleanliness and simplicity."

In a series of articles on "The Proper Arrangement of Water Closet and Bath Apartments," published in *Architecture and Building* in 1896, the writer again advocated the establishment of school baths. He said: —

It is a very desirable thing to have every public school provided with a few spray baths. These can be located either in a

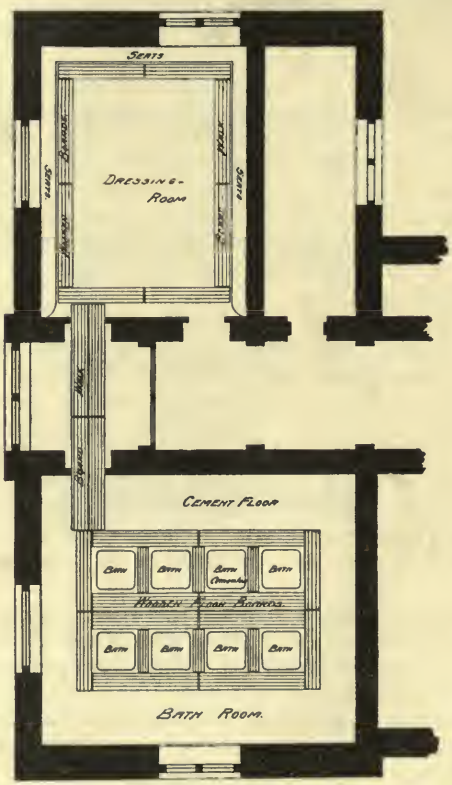

FIG. 4.

separate one-story pavilion or else in the basement adjoining the children's play-rooms. . . . Scarcely any school building is nowadays erected in German cities without this necessary provision for the health and cleanliness of the children, many of whom do not know in their homes the blessings and advantages of regular bathing. I hope, in the interest of the coming generation of our American school-children, that some pen more facile and powerful than my own will make a strong plea to our boards of education

in favor of spray baths in the public schools. I am convinced that this would incidentally help to solve, more than any elaborate mechanical arrangement, the question of school-room ventilation.

In the city of Boston, school baths were introduced about 1896, at the suggestion of Dr. Edward M. Hartwell, at the new Paul Revere School, designed by Messrs. Peabody & Stearns, architects, at the North End, and soon after at another school in the West End. In the former school 1,000 children bathed in one week. When the baths were first contemplated, the Committee on School-houses reported unfavorably, saying: —

We hesitate to take the position that it is the duty of the school authorities to bathe the children in public schools, because they may not be clean; for, if this be granted, we see no reason why we should not clothe them if they be improperly clothed or feed them if they are not properly nourished at home. But, outside of the legal questions involved, your Committee do not believe that it is in the interest of the public health to place these wash-houses in the basements of our public school buildings, to there accumulate the uncleanliness which may be brought in on the bodies of the children. More or less foul odors must necessarily come from this practice, and your Committee feel that the suggestion that eventually these wash-houses be used for the general public is not in the interest of proper sanitation.

It is to the credit of at least one member of the Committee that he replied to this as follows: —

One would infer that the new Paul Revere School-house was not to be connected with the sewer at all. One would think that the accumulation of filth was to be kept there in the building. . . . It is perfectly absurd to say that it is impossible in the basement of a public school building, built as you have to build them in that section of the city, that a bath-house cannot be provided from which no odor whatever can arise. But, if we must have foul odors, let us have them in the basement, and not in the school-room. It is not a wash-house at all, by the way, but simply bathing facilities in the basement of a school building.

Later on the Committee on Hygiene reported favorably, the vote standing 11 in favor and 8 against the sanitary measure. Mention was made at this meeting that, though the committee had spent about $4,000 in one school to do away with unclean odors, they did not succeed in getting rid of them.

From the annual report of the School Committee of the city of

Boston for the year 1899, I extract the following description of the school baths at the Paul Revere School: —

Not alone is the Paul Revere School notable for its attractive exterior and interior, its artistic decorations and the historic name it bears, but from the fact that it is the first school-house in Boston to contain bathing facilities for pupils. This school is located in one of the most congested sections of the city, inhabited by a dense population, consisting mainly of Hebrews and Italians, with a lib-

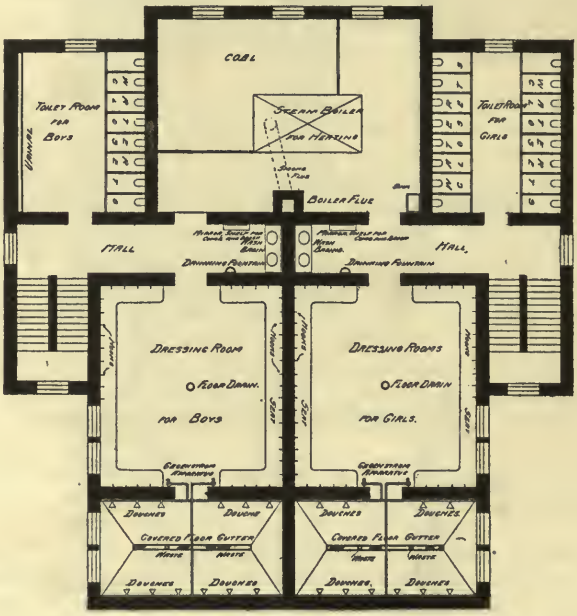

FIG. 5.

eral percentage of other nationalities. . . . It was fitting, therefore, that in this crowded section should first be tried the experiment of school baths. Two sets were installed in the new Paul Revere School, one for each sex, at opposite ends of the basement, which are open every school-day. On the girls' side there are ten individual compartments, each containing a seat and a spray. These compartments are of slate on three sides, with the entrance screened by a rubber curtain hung from rings, which can be drawn at the pleasure of the occupant. There are also in the same room thirty dressing closets, each containing a seat, hooks for clothing, and provided with a self-closing blind door. The floor is of concrete, covered with movable slatted walks made in short sections. The "Gegenstrom" system is in use, whereby the tem-

perature of the water may be accurately regulated; and a matron is in daily attendance.

No individual accommodations are provided for the boys, the showers being grouped in a space about ten by fifteen, so that twelve pupils may bathe at the same time. The remainder of the room is used for dressing purposes, an oaken bench running along two sides of the walls, above which are hooks for clothing. This room is in charge of the janitor.

Soap and towels are furnished without expense to the pupils. The arrangements for the use of these accommodations are such as to afford an opportunity to every pupil to bathe once a week throughout the school year, but this is not compulsory. A certain time for bathing is assigned each class, when those pupils who so desire are given an opportunity to avail themselves of the facilities described.

Pupils in the grammar as well as the primary school are admitted to these privileges with the exception of those who are too young to undress and dress themselves without considerable assistance.

The providing of these accommodations is largely due to the effort of Mr. Lewis H. Dutton, the principal of the district, who earnestly advocated the proposition to place baths in this building from the time its erection was first contemplated. Between 125 and 150 pupils bathe daily; and the success of the experiment, as it was termed, seems assured. The estimated expense of conducting the baths, including the salary of the matron, soap, towels, laundry, and heat, is about $85 per month.

The author has been favored with a courteous letter, dated March 17, 1900, from the superintendent of public schools of the city of Boston, Mr. Edwin P. Seaver, from which the following paragraph is quoted: —

The best response which I can make at the present time to your letter of the 16th inst. seems to be to send you a copy of the annual report of the School Committee of this city, recently issued, on pages 28, 29, and 30 of which you will find the subject of baths in the Paul Revere School reported. This is the only printed information I have within reach at present. Speaking generally, the results of these baths have been satisfactory. I think they would be more so if it were possible to put the children into clean clothes after the baths.

In New York City the report of the Mayor's Committee on Public Baths, issued in April, 1897, after describing the German school baths, urged their hygienic importance, and stated that the cost of their introduction in the public schools would be inconsid-

erable. "The basements of our public schools, which are in many cases very little used, are peculiarly fitted for the establishment of spray baths for school-children. Where now the basement is used as a playground, a roof garden playground might be substituted, and so a double advantage secured." The superintendent of public schools expressed himself in favor of the baths, but no further move was made in the matter until quite recently. I learn it is now the intention to introduce baths in some of the new school buildings.

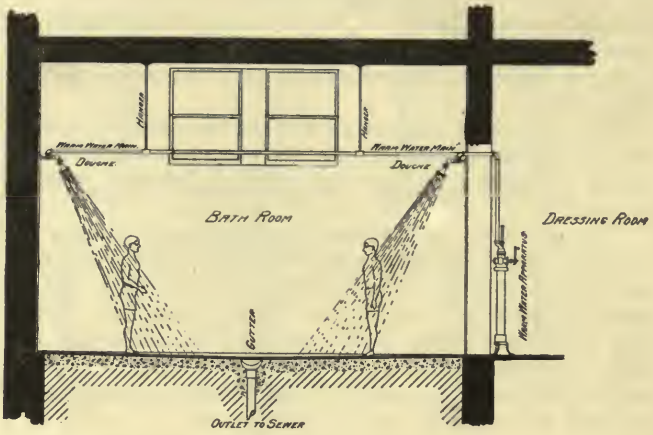

Fig. 6.

The *general requirements of school baths* are as follows: they should be cheap in construction as well as in operation; they should be of such form and arrangement that the cleansing of the body may be accomplished in the least time, with the least quantity of hot water, and in a small space. Both the bath-room and the dressing-rooms must be well heated, free from dampness and from dangerous draughts, and be thoroughly well ventilated and lighted. The apartments should be light, clean, and sanitary throughout. The bathing water should be of crystal-like clearness and purity. The children should be made to feel comfortable and safe, all danger of scalding should be excluded, all steam noises which are liable to frighten children should be avoided. Plenty of time should be afforded for undressing, washing and spraying, drying and dressing, for boys from twenty to twenty-five minutes, for girls about half an hour. As the stream from a vertical douche upon the head

is felt unpleasantly by many bathers, the douches should be set inclined. Participation in bathing must be entirely voluntary.

The zinc pans, originally used in the German school baths, were soon done away with. It was found to be much better to arrange the entire floor of the bath-room with a pitch to a floor cesspool or gutter, with waste pipe to the sewer. The placing of several children under one large douche is not as good as providing a separate douche for each bather. The distance between the douches should be from $2\frac{1}{3}$ to 3 feet, to give each child plenty of freedom in the movements of the arms.

In the *plans of school baths* accompanying this paper, Fig. 2 and Fig. 3 show examples of school baths as arranged in the schoolhouses at Cologne and Munich. It will be noticed that entirely separate bathing cells are provided for each child at Cologne (Fig. 2), while in the Munich school (Fig. 3) the larger children have separate spaces, enclosed with curtains, for undressing. It would seem to me that baths like those shown in Fig. 4, which illustrates the basement of a school in Wiesbaden, and like Fig. 5, which shows a proposed school bath for a large school, with separate bathing accommodations for boys and girls, designed by the writer, are far preferable. In both of these the bath-room is entirely free and not divided into separate apartments. The plan of the Paul Revere School in Boston appears from the description to be a compromise between the two systems.

A general bath-room can be cleaned much better and quicker if the subdivisions into compartments are omitted. I also hold that the educational effect of having the children undress together in one large dressing-room should not be entirely lost sight of; for, as already intimated, this fosters habits of neatness as regards the undergarments. For the older girls it may be desirable, as has been done in the Boston school, to provide simple curtains for greater privacy in dressing and undressing.

Where, in a coeducational school, separate bath-rooms cannot be provided for boys and girls, the bathing may be so arranged that the boys and girls bathe on alternate days.

It is usual to have the children bring with them their bathing-towels, combs and brushes; but soap should be given by the school. The older children may be allowed to put on short bathing tights or loin aprons, though the necessity for using these hardly

exists. It is desirable to arrange a suitable clothes-dryer for drying the towels used by the children. The bathing proper should not last more than from five to ten minutes. The temperature of the water should be about 97° to 98° in winter and about 85° in summer. It is well to provide a few douches for cold water, which, as already recommended, should be taken at the end of the bath, as a protection from cold.

This paper does not intend discussing purely technical details, such as the means for heating the bath-water and the mixing apparatus for the douches. I present, however, in Fig. 6 an illustration, showing in vertical section the arrangement of a number of douches in school baths, controlled and supplied from one mixing apparatus.

Passing on to the *objections* brought forth against school baths, these may be said to come largely from men who are unfamiliar with their operation, and who have never witnessed the bathing of children under douches of tepid water, either in people's or in school baths. The objection arising from the fear that the basement of a school-house may become filthy is too absurd to deserve further notice. It is sometimes argued that bathing belongs to the home, and not the school; but what if the home is not provided with bathing facilities? And, again, where cleanliness is, perhaps, taught the pupils in school courses on physiology and hygiene, is it not better to go a step further, and let them learn in a practical way cleanliness and neatness in the school bath?

Some raise the objection that it would be unwise to *compel* children to bathe; but experience teaches that, although bathing was nowhere made compulsory, the largest percentage of the children — 90 per cent. and over — became eager to have a bath at least once a week. Others fear the danger of exposing the children to colds, but, if properly carried out, bathing in schools is less dangerous in that respect than bathing in the people's bath-houses; for here the children leave the building immediately after the bath, whereas in schools the bathing can be arranged in the middle of the morning or afternoon studies, and not during the last school-hour. Others, finally, argue in favor of establishing and maintaining free public baths, but consider school baths unnecessary where the former are abundantly provided. Would it not be more sensible to arrange the school baths so they could be used after

school-hours by adults, like the public baths, by simply providing separate outside bath entrances in schools?

In all sections of this country, as in most other civilized and progressive countries, great attention is being paid to school sanitation. But, though much care is here devoted to lighting, ventilation, and heating, to drainage and furniture in the school-room, comparatively little attention has hitherto been paid to the requirements of bodily cleanliness of the pupils. In the best modern school-houses, sanitarily planned, drained, and ventilated, children are brought together who may, and often do, carry on their bodies and in their clothing the germs of infection. It was this very observation which compelled the hygienist, Professor Fluegge, of Goettingen, after an examination of the healthful and clean school interiors of his city, to exclaim, "Of what good are all these modern sanitary arrangements, when dirty children, with disease germs lurking on their bodies or in their clothes, are brought into these healthful class-rooms?"

Now that the introduction of school baths has been repeatedly tried, so that it can no longer be called an experiment, we should not listen to voices which would deprive the children of an advantage the influence of which is sure to be far-reaching. All such attempts at blocking sanitary progress in school hygiene should be discountenanced.

Teachers are unanimous in asserting that school baths are beneficial, that they foster bodily vigor, brighten the minds of the pupils, increase the interest in the studies, dispel laziness, improve the air of class-rooms, and increase neatness, cleanliness, and decorousness, as well as the general health and happiness of pupils.

School baths are consequently destined to become useful factors in the welfare of the present and coming generations. May the day not be far off when every American public school-house, attended by the children of the poorer classes, is fitted up with a sufficient number of spray baths!

5. SUPPRESSION OF EPIDEMICS.

BY WALTER WYMAN, M.D., SURGEON-GENERAL UNITED STATES MARINE HOSPITAL SERVICE.

[Read Tuesday morning, May 8.]

An epidemic is like a conflagration. It is most easily suppressed at the beginning. Therefore, the necessity of the earliest possible knowledge is obvious. The concealment of the first cases in the hope that it will not spread is an ostrich-like policy, which an enlightened public sentiment should vigorously condemn. Even doubtful cases should be made known to the proper authorities, and the same restrictions thrown about them as though they were known cases until the doubt is removed.

If you smell smoke in your house, you do not rest content with the hope that it is only from the furnace or fireplace. You trace it up until you know where it comes from. If you cannot see the fire, you are not content, and, if necessary, with saw and axe you vigorously expose it, and apply the extinguisher. Any other procedure would be simple folly; and it is equally foolish — nay, more, criminal — to hide or leave in doubt the existence of an epidemic disease.

Therefore, the first essential in the suppression of an epidemic is the truth.

Now, standing here where epidemics do not rage, in a city typifying the highest order of sanitary equipment and administration, it is easy enough to assume a thorough assent on the part of this audience to this obviously correct proposition. But the history of epidemic diseases in the United States is replete with incidents showing an utter disregard for truth, both on the part of individuals and communities. And, in condemning the suppression of facts or actual deception, it is incumbent upon us to thoroughly realize the self-sacrifice involved by the truthful course, and suggest or provide some means by which it shall not result in personal reproach and business disaster. This can be assured only by a conviction in the popular mind that the first cases have been discovered, and

that the necessary restraints have been thrown around them by the properly constituted authorities.

Heretofore it has been too often the case that acknowledgment of the existence of the disease has been made only because its further concealment was impossible. Therefore, the announcement of its existence was equivalent to the announcement, also, that it had existed for some time, and was now beyond control. So that one case, or two or three cases, even though properly guarded, has excited the same alarm and confusion as though it were epidemic and beyond control.

Now, the sooner it is understood everywhere that the first case or few cases will not be concealed, but will be made known to the proper authorities, who without let or hindrance will quietly go to work to establish those precautions which are known absolutely to be effective in preventing the spread of an epidemic disease, the sooner will senseless terror disappear, the quicker and more surely will the real danger be suppressed.

The reluctance of an individual physician to make known his diagnosis of a contagious disease may excite our sympathy when it is considered that, in declaring his diagnosis, he brings upon his head the anathemas of his neighbors, and suffers a reproach as though he were the cause of the immediate interruption of business, and of the necessity that many feel of immediately taking their departure. Within a year I know of one physician in a small community who called the attention of the legalized State and national authorities to one or two cases of infectious disease, regarding the nature of which there was prompt recognition, and who was immediately thereafter notified by the leading authorities of this community, under whom he held a professional position of some profit, that, unless he consented to hereafter conceal such cases and accept the dictum of these non-professional and commercial magnates in their efforts to conceal contagion, his position would be forfeited; and it was forfeited. It is to the honor of the medical profession and to the honor of this physician that he promptly refused to enter into such an agreement, and suffered in the interest of truth, in the real interest of his community, and in the interest of other communities, the loss of a position of importance and profit.

I know of other instances where the consensus of local opinion has been so strong as to make it an act of temerity for any one to

admit the presence of contagious disease, even the public press holding up to ignominy as enemies of the community the names of those daring to admit the truth. The folly and weakness of this course invariably becomes obvious; for the facts cannot long be hidden, and together go out to the world both the knowledge of the disease and of the deception which has been practised.

On this subject a well-known sanitarian of the United States, himself a State health officer, eight years ago wrote and published the following: "Communities themselves have encouraged the growth, and are wholly to blame for the pernicious and suicidal spirit of concealment of pestilential infection. They have pandered to the vicious passion of a trade element as merciless as it is sordid and depraved, and ever ready to raise a hue and cry against a physician who makes properly known a case which his professional knowledge leads him to know or suspect to be a case of cholera or yellow fever. (Small-pox speaks for itself.) The community in this matter, therefore, becomes not only a partaker, but the instigator of this mighty guilt. The saloon-keepers, inn-keepers, and petty tradespeople have fostered many a sweeping epidemic. Feeble-spirited and superserviceable health authorities, and even bureaus of government, timorously submitting to the dictum of this unrighteous Mammon, have suppressed and do now suppress the truth, have falsified reports, and have consigned States and nations to the ravages of unresisted pestilence, when thousands of lives might have been saved by timely flight, and distant communities forewarned might have protected themselves. Witness the outrageous transactions in France, Spain, and Italy during the prevalence of cholera in 1886, together with repeated and common occurrences of like kind in town and country in our own land in times gone by.

"The subject of prompt announcement is so woven into the affairs of practical municipal and maritime sanitation as to necessitate its fullest recognition as an elementary and indispensable part. It is inconsistent with every known law of God, of every principle of sound policy, and of well-doing among men, that an individual or a city or a State can successfully protect itself behind the flimsy barrier of a lie, particularly in dealing with the phenomena of nature. If a case of cholera occurs in a city and be hidden under the disguise of a simple intestinal derangement 'to avoid public clamor and injury to the commerce and revenues of the

State,' the last hope of destroying the contagion is wiped away; and thousands of lives and the general ruin of industry must pay the penalty of a sordid, short-sighted, wretched policy. So of small-pox, and so of yellow fever. The deadliest enemy of the State is the man guilty of intentional concealment."

Now, in attempting a cure of this evil, it is necessary that, while denouncing concealment, we denounce also unnecessary startling and alarming announcements through the public press. It will be noted that I have urged that the information be given to the "proper authorities." It is for the health authorities to determine when, in the interest of all, it becomes necessary to give a public notification of the presence of an epidemic disease; and I believe that it is within the power of accredited health officers to regulate this matter. I have always found the press willing to accept such suggestions with regard to the publication or omission of items of this character as is obviously proper. But, as it is the business of their representatives to obtain the news, it is incumbent on the health officer to make such representation as will prevent the publication of unnecessary facts or will cause necessary publication to be made in a non-sensational manner.

If the above principles are observed, confidence will be established; and confidence may well be established, for there is now none of the great epidemic diseases — cholera, yellow fever, typhus fever, small-pox, and plague — which cannot be controlled.

The records of the past few years are encouraging. Take, for example, the records made against the bubonic plague within the last year or two. We must except, of course, India and China, where the conditions are so exceptional; but the measures against this disease in other countries have been strikingly successful. Within this period it has appeared in Alexandria, Egypt; Oporto and Lisbon in Portugal; Kobe and other cities in Japan; in Honolulu and Kahalui in the Hawaiian Islands; and, for the first time in history, it has reached the western hemisphere, manifesting itself at Asuncion in Paraguay and Santos, Brazil.

In each of the places named it has been successfully met and vanquished. It is present to-day in other ports and places; but there is reason to believe that the same success will attend the efforts now being made to conquer it.

Many of the places mentioned are in deplorable sanitary condition; but it is interesting to note that success has neverthe-

less been attained by reason of early and accurate knowledge of the disease. It is here that the rôle of bacteriology plays so important a part. The doubts are removed by bacteriological examination; and, when doubt is removed, sanitary measures become easier of enforcement.

The history of the past year demonstrates the facility with which plague may be carried from one country to another, but demonstrates also the certainty with which it may be suppressed when unfortunately introduced.

In 1892 a few cases of cholera appeared in New York, but so great was the vigilance and activity of the New York Board of Health that the outbreak was quickly suppressed. In 1893 one or two cases appeared in Jersey City; but by careful isolation and disinfection, the detention under observation of suspects, and a house-to-house inspection to discover other cases, a spread of the disease was prevented. The microscope verified the diagnoses in these cases, which must otherwise have remained doubtful; and the doubt would have caused inactivity and negligence.

In June, 1898, yellow fever appeared at McHenry, Miss. There were 20 cases in all,— the first reported June 9 and the last June 29, so that in twenty days the disease was suppressed. The measures adopted prevented its spread from McHenry to other localities.

Last July yellow fever appeared in the National Soldiers' Home near Hampton, Va. There were 3,500 veterans of the Civil War in this institution. As soon as the disease, the nature of which was at first in doubt, appeared, the governor of the home and the surgeon in charge, while still in doubt, wisely adopted precautionary measures. They isolated the patients, and disinfected by exposure to the sun and air the bedding and clothing of the patients themselves and those occupying the quarters with them. The true nature of the disease, however, was quickly determined. Every necessary measure was promptly adopted, with the result that among these 3,500 veterans there were but 45 cases of yellow fever and 13 deaths; and there was no extension of the disease to the neighboring localities.

So successfully and quickly was this outbreak suppressed that statements were freely made that the disease could not be the genuine yellow fever; but it was yellow fever, and, too, of a virulent type. Not one of the dozen physicians who saw the

cases — and among them were experts of both national and local reputation — expressed the slightest doubt as to their nature. The representative of the Louisiana State Board of Health, sent especially to make report to his State authorities, declared that expert testimony was unnecessary, a glance being sufficient to recognize the disease.

The methods to be adopted in the suppression of all of these epidemic diseases are plain, well understood, and vary only with the varying characteristics of the diseases. The first essential is the isolation of the case or cases. Next a thorough search must be made for other cases whose presence has not become known, and the isolation also of these. In making this search, it often becomes necessary to institute a house-to-house inspection, either through the police department or through an organized body of sanitary inspectors.

Having discovered the actual cases, it is then important to ascertain the names of the persons who have recently been in association with them; and these latter, known as "suspects," or "contacts" must be kept under close observation with a view to detecting the first symptoms of the disease which they may develop. This observation must extend over a period of time, dating from the last possible exposure, equal to the known incubative period of the disease. Then follows the disinfection of rooms or houses, bedding, clothing, or other material which may have become infected.

Too much stress cannot be laid upon the necessity of thoroughness in disinfection. Faulty or incomplete disinfection is worse than none at all. All should realize that disinfection is not merely a name nor a perfunctory operation, which, by some indefinable means, destroys the unseen germ. It is a scientific process, which must be conducted in accordance with well-established rules, and generally requires the services of those specially trained therein.

Should the disease become more than local, larger operations become necessary. Thus, in 1897, yellow fever made its appearance in Ocean Springs in April, but prevailed in so extremely mild a form that its true nature was not known until August; and, when announced, it had already been scattered to adjoining communities and States.

Under such circumstances, detention camps must be established,

in order that persons desiring to leave the infected territory may undergo the necessary period of observation to determine that they themselves have not the disease, and with a certificate to this effect be allowed admission through and into other communities not infected.

Certain kinds of merchandise, leaving the infected territory, must be disinfected; and a train inspection service must be provided, the train inspectors being medical men, the object of their service being to prevent the transportation of passengers who have not the required certificates, showing that they have not been exposed to infection, and the detection of any suspicious case.

Occasionally it may become necessary, when a city is thoroughly infected, to place a cordon of guards around it, to prevent egress therefrom, excepting on the official train and through the detention camps provided.

The efficiency of these measures has been amply demonstrated. Everything, however, depends upon the thoroughness with which they are carried out. *Vigilance*, *truth*, *knowledge*, *energy*, and *money* are the essentials in the suppression of epidemics; and of these none is more important than the *truth*. Why hide the truth, when hiding but entails additional misery? When facts are made known, the responsibility becomes fixed and the remedies are applied.

"By truth," said Marcus Aurelius Antoninus, "man never was harmed; but he is harmed who abideth in deception and ignorance."

The preventive measures, when promptly applied, *are* effective. Delay means only additional distress, more widespread disaster. Therefore, if in doubt, first take all precautions as though there were no doubt. Then have this doubt dispelled by competent authority. Immediately thereafter report the contagion, if contagion it be, to the proper sanitary officer, thus complying with the dictates of your own conscience and discharging your obligations to others.

6. THE GENESIS OF DISEASE.

BY ELMER LEE, A.M., M.D., OF NEW YORK CITY.

[Read Tuesday morning, May 8.]

The idea largely prevails in the medical profession that active principles are introduced within the human organism, thereby causing disease, and that disease, in turn, is thought to be curable by the introduction of other foreign and non-vital matters into the system, either through the natural openings of the body or by hypodermic punctures in the skin. This interpretation of vital activity appears contrary to physiology, and represents an error of ancient tradition. The continuance of this unscientific notion of the cause of disease, and the failure to cure bodily disorders, is prone to keep physicians in a state of uncertainty, and tends to perpetuate empiricism. The physician should be a master in the science of medicine, and not merely a participant in sensational and periodic fads, frequently started by newspaper reporters, backed by commercialism, and distributed everywhere by the over-zeal of the secular press.

And so long as medicine is regarded as an empiric art which is dependent on the validity of cumulative experiments upon animals, even though performed by "competent experimenters," there is not any great hope of agreement among physicians. Nor is it likely that there will ever be a common standard governing the application of medical fact to the cure of disease. The great age of the human race ought by this time to be ample for a basis upon which to construct a positive and settled medical practice. But the strife and war of opinions referable to the practice of medicine are more varied and fanciful than ever before.

Great attention at this day is given to biological laboratory experiments. Many of the experiments are without scientific importance, while a very large number are little more than fanciful and curious. Few of the animal experiments have any practical application. It will be contended by the devotees of the bacteriologic laboratory that my position is wrong. Let us see.

There are many opportunities present in each experiment for

mistakes; and as appearances are truly deceptive, affording room for questions pertaining to the reliability of data, is it possible in the midst of so much conflict of opinion to agree upon the treatment of disease, if it is to be decided by experiments based upon an incorrect interpretation of invisible forces existing as active living principles? It is equally required to understand the methods of vital activities before it is possible to construct correct therapeutics, as it is to comprehend the distinctions between pounds, ounces, and grains.

When it is recognized that the supposed introduction of active principles, either of disease or for its cure from without, is not possible, and that all active life forces are manifested through the inherent vitality, it is then possible to understand the distinctions between special activity of the voluntary and involuntary organisms and their causes. The voluntary is set in motion in obedience to the mind, while the involuntary is set into special action in response to sensation.

Vital force is divisible into sensibility, instinct, sensation, and contractility. Sensibility is a property of the mind, and represents the intellectual function, such as ability to originate ideas, think, exercise reason, and experience a multitude of emotions. Instinct includes and pervades the whole organism, and superintends the involuntary activities, including those called physiologic functions, and their opposites, called pathologic, or active disease. The mind selects the food, while instinct arranges it for the growth and repair of the body, retaining the useful and excluding the excess, together with the waste produced from chemic action. This function is always active, and never ceases its influence till death.

Sensation relates to the contact world; and its subdivisions include such terms as taste, smell, heat, cold, hunger, weariness, nausea, itching, and pain, excited from contact relations, and may be normal or abnormal. Irritability is a term which represents disagreeable sensation, and is not a distinct and separate sense-perception function. The sensation function constitutes the whole list of subjective symptoms which are made the basis of treatment by a large majority of the profession: whereas sensation, either normal or abnormal, is but the intervening connection between cause and effect. Sensibility and sensation, one a mind function and the other a function of organic life, are used by "authorities" interchangeably and incorrectly.

Contractility is a function exercised by muscular tissue, and is controlled by the mind in its voluntary activity and by instinct in its involuntary. A proper understanding of health and disease depends upon a correct interpretation of the preceding four departments of vital force and their subdivisions.

These vital functions can be both normal and abnormal. The sensibility may become insane: the instinct may construct malignant growth and exercise pathologic action. Sensation may be represented by irritability and pain; and the contractility may be expended in convulsions until exhaustion and death. Disease is what each division of vital force performs under the name of abnormal action, and is not produced by an active principle from without, but has its origin from the action of a vital principle existing within.

The ancient idea that an evil spirit within the body introduced from without was the cause of disease is still entertained, and is literally proclaimed from the rostrum and pulpit at this very time; and, while medical men discredit this foolish doctrine, they accept that which is much the same when they teach that disease attacks the body, or that it catches a cold, or that some active principle has chanced to get in from without that is acting detrimental to the human organism. The fear of catching something or a stroke from some imaginary disease is present at all times in every community by the consent of the profession and through the mistaken activities of over-zealous boards of health, whose prerogative has strangely developed a medico-political organization, originally created for the abatement of nuisances, into instructors and interpreters of disease for the medical profession.

The cause of disease produces disease, whether it be diphtheria, measles, small-pox, or cancer, through its contact, exciting an abnormal sensation, in response to which pathologic action is begun. Active disease and pathologic vital action are one and the same thing. It is the contact of foreign matter generated within or without the organism which produces abnormal sensation; and, as a consequence, the involuntary organism is set in motion, which induces painful or unusual effects that indicate that which is called active disease. Abnormal sensations initiate abnormal involuntary activity, which is active disease; and active disease is recognizable by subjective and objective manifestations.

The causes of disease are divisible into primary and secondary:

the first class is introduced from without; and the second class is developed within, through the contact influence of the agency introduced from without. Each class causes abnormal sensation, which is the beginning of disease.

The primary factors of disease include foreign matter and excess in quantity or vitiated quality of food. The secondary factors are to be included under pathologic fluid products within the body, the result of abnormal chemic action with or without abnormal temperature. The secondary causes are those serious factors of disease constituting a large variety of toxins, or blood poisons. In this class it is proper to include internal and external bodily exudates which have undergone chemic changes through oxidation. It is at this moment that the germ theory of disease finds some apparent support from an imperfect understanding of the relations of micro-organisms to the secondary causes of disease, together with the belief that disease is caused by some agency or germ from without. Wherever there are pathologic fluids, which constitute the blood toxins of disease, there can be found micro-organisms, which, from their presence, are assumed to be the perpetrators of crime, instead of which the microbe is innocent of harm,— in fact, a benefactor. Thus has developed a mistake of far-reaching proportions, which has created an innocent microbe, merely found feeding upon pathologic fluids, into a colossal system of diagnosis and therapeutics, which for the time being is a serious embarrassment in the practical treatment of the sick.

The micro-organism has a most important place in the universe, and its presence is admitted wherever abnormal human vitality is in active operation. But microbes are not germs; for they cannot develop into higher organisms, nor can they generate toxins, since they are without glands. They can only absorb and divide, and with vast rapidity, and die when the suitable nourishment is exhausted. Theories are useful only when they aid in the rational selection of a proper treatment for pathologic conditions. Certain methods of treating disease have been popularized through a misunderstanding of the true nature of the causes of abnormal or pathologic action; but such treatment, after all, is chiefly based upon empiricism,— a state of practice which it is the hope of the profession will sooner or later be excluded from the science of medicine.

As there are primary and secondary causes of disease, and as

these factors are capable of division into a vast variety of degrees, in their toxic properties and vicious influence, it is seen why it is possible that disease can take Protean symptoms. Certain symptoms representing abnormal vital action form the basis for a nomenclature arranged for convenience in classification. Whatever the symptoms, the leading treatment should be directed to the elimination of pathologic products already within the organism, and the suppression of their cause.

High temperature is a secondary cause, and, unless checked, will often lead to further complications, which thereby increase the danger. The heat production in fever is attributed to the fever-producing substances in the circulation. An increased amount of organic albumen is decomposed, with the albumen molecule hydrolytically split. The albumoses thus formed, far advanced in hydration, enter the circulation and are eliminated through the kidneys. The products of this decomposition of the albumen affect the nervous system as a toxin, especially those points which regulate the innervation of the vessels and the giving out of heat. Less heat is given out, and the bodily heat rises. It is important to determine early what is the factor of greatest importance, in order to decide whether it is wise to employ elimination, introduce antiseptics, reduce temperature, deploy vital activity, or abrogate sensation.

Disease is a condition with both local and general manifestations, incited by material both from without and from within, and not an attack by something atmospheric or aerobic that can be expelled or become migratory. The cause of disease may be transported; and, when it finds its way into the body, the vital energies are so disturbed that abnormal action is the result. When it is understood that foreign materials from without produce abnormal sensations within, and these, in turn, interfere with normal vital action, thereby constituting disease, it will help to a recognition of the different methods that may be used for the removal of the cause. Vital energy unaided will, if left to itself, frequently remove the cause, and restore the organism to health.

Medicines introduced within produce abnormal sensation, which is a cause for special defensive vital activity; and this is what is recognized by the physician as medical action. One set of abnormal sensations may be masked by another set; and this constitutes the explanation of the popular system of practice, and refers equally well to the phenomena occasioned by serum treatment.

But such treatment is empiric, and ever must so remain; for it depends upon experimental data, and with a body whose chemic state is ever changing, even in the same individual. The unification of the profession and the exaltation of medical practice to a standard of dependable excellence which would entitle the physician to that recognition which nature intended seems a far-distant realization, if continued empiricism is to be the only hope for a reliable therapeutic system.

As a sequence of pathologic action, specific virus is manufactured within the living organism; and, when such *materies morbi* are present in toxic proportions, active disease naturally follows. The microbe absorbs such material for food, and thus may become a carrier of poison; but such toxin is merely contained within the shell of the microbic cells, and is not their own product. Pasteur uses these words: "Micro-organisms may be harmless or otherwise, depending on the quality of the material from which they are constructed." Thus a contagious disease, like diphtheria, for example, is the result of a disturbance of normal vital functions whereby certain chemic materials or toxins are manufactured, which as secondary causes excite special abnormal vital action. The principal signs of such abnormal action are manifested by exudative inflammation, particularly in the throat and trachea, with elevation of the temperature and loss of appetite, associated with failure to digest and assimilate nutriment.

During the time that the abnormal chemic fluids are present in the body, micro-organisms find suitable food for development, and perish when such food supply is arrested in the process of restitution. The millions of micro-organisms do no harm to the organism within which they are developed, but contribute to make the auto-chemic virus less dangerous, and further aid in its elimination.

The microbe, when filled with pathologic chemic material, then becomes a pathogenic organism; and, if transplanted, it is possible to excite pathologic action by the chemic toxin previously absorbed from the human organism in which it was manufactured. Thus it is easily explained why microbes found in the throats and other parts of human beings may or may not be pathogenic. It depends not upon the micro-organism, but whether the active vital energies are normal or abnormal, and whether the fluids of the human organism are normal or pathologic.

When the system can no longer manufacture the particular virus

which causes pathologic action, the disturbance will terminate; and this termination is entirely independent of the supposed action of any specially named microbes: it depends wholly upon the restoration of normal vital action. The bodily state suitable for the chemic construction of the virus of a contagious disease is seldom produced but once in a lifetime; and the danger to life consists in the excess of such virus, when compared to the bodily powers of elimination, Herein lies the explanation of immunity against recurrence of the same disease.

With an elevated temperature of the blood, pathologic vital action will develop such auto-chemic poison more rapidly, and at the same time elimination is retarded by the condition of capillary congestion. The so-called germ is not an enemy of health: it merely derives food from the products of pathologic vital action. The microbe is simply an innocent scavenger, and entirely harmless to the organism in which it develops, increasing in vast colonies when supplied with proper food, and perishing as soon as the food is stopped. The microbe, by virtue of its cell formation, is able to bottle up the chemic virus, and thus preserve its toxic nature for a time or till destroyed by chemic action. But there is likely to be nothing permanently gained, in the treatment of disease, by the use of artificial germicides, microbe-killers, or antitoxins, except experience, and probable therapeutic disappointment in the end. Whereas rational and physiologic treatment looks to a prevention in the formation of the auto-generated and dangerous compounds, and of disease caused by toxins produced by retro-chemic changes in the system, and not by microbes. The germ theory of disease, which has added but little to the true understanding of pathology and less to the therapeutics of the practical physician, seems destined in due time to comet-like pass from view.

The last report of the American Pediatric Society is in the following words: "The mortality of laryngeal diphtheria at present rests at 21.12 per cent., and the mortality of operative cases is at present 27.24 per cent." Then follows an apology for the high mortality under serum treatment: —

"1. That antitoxin is still used too late, either from procrastination on the part of the physician or objection on the part of the friends.

"2. It is used in a half-hearted way, which shows itself in doses from one-tenth to one-fourth as large as they should be.

"3. In truth, both the physicians and the friends of the patients are timid.

"These figures, it must be admitted, show too large a mortality." It might properly be asked, What basis is there for promises of better results in the future along this line of experimental treatment by animal serums? Doubt fills the mind of the profession as to a realization of better therapeutics under serum-therapy.

It has long been known that a large number of toxins and poisons that are mortal when injected subcutaneously, become harmless, when administered in the same doses by way of the stomach and intestines. The gastro-intestinal juices have the power of destroying or neutralizing these toxins. As a general rule, the gastric juice neutralizes the toxins much more effectually, as the contact is more prolonged, and the experiment is made upon an animal whose temperature is normal. The pancreatic juice and the bile possess the same properties as the gastric juice. The human organism possesses means within itself of self-protection. It is only when abused and misunderstood that it succumbs to disease. The numerous bad habits of each individual each day, long continued, are sufficient explanation and cause for disorder and disease. The state of the great outside world that environs the life of the individual man or woman or child is seldom responsible for sickness. It is rather the self-made and injurious impressions which disarrange the delicate balance between the different matters and forces of the human unit.

Compensation and equivalency are universal and fundamental principles, equally applicable to the animal machine and forces, as to the rest of the universe. The essentials, air, water, nutriment, exercise, work, and rest, if wisely regulated and exactly adapted to the vital and physical need, promote well-being, and prolong life to its normal finish. Any variation, however slight, is able to alter and perturb life forces and substance; and the sequence will be some form of debility. Following debility comes gradual disintegration of the material body, accompanied with weakened vital resistance as a further sequence. Finally, dissolution and destruction.

The great Creator of all things could not possibly have so made the world as that man should be obliged to seek for the remedies of his diseases by tormenting its humbler creatures. It is impossible that such should be the natural appointment.

Bodily health is to be obtained by temperance, purity, cleanliness, fresh air, a contented and cheerful spirit, not by inoculating toxin poison into our veins, or from the secrets to be dug out of the brains and entrails of tortured brutes. Nor after a century of vivisection, in which millions of harmless creatures have perished, have the experimenters given us a remedy for any of the woes and scourges of humanity. The death-rate of consumption was not lowered by the famous tuberculin discovery, nor that from hydrophobia by the Pasteur treatment, nor that from cholera by the inoculations by laboratory *savant*. The claim for antitoxins is ephemeral and disputed, and but for the favorable sentiment created by newspaper exaggerations and commercial methods its use would be seldom employed. There are many observers to these facts, but comparatively few who find the opportunity to speak of them or who have the privilege of speaking the truth to the world.

The following comments, stenographically reported, were made with reference to views expressed by essayists in the Department of Health: —

Dr. Holbrook Curtis, of New York.— I do not think a paper like that of Dr. Page should be allowed to be read without a word of protest, from men of the profession at least. Dr. Page has taken some isolated and apparently jocose remarks on this subject to confirm his preconceived ideas, and has presented a paper which, in its scientific aspect, is as ridiculous as any paper that I have ever heard read before the American Social Science Association. It is all very well to advance theories without a premise; and the essayist has not made a single premise in his paper upon which he can construct the conclusion he has arrived at. In the first place, he confuses us as to the difference between phagocytes and the pathogenic germs. He says that because there are germs in the system and in cesspools and sewers, which by their action cleanse the system and cleanse the soil, consequently, according to his theory, the office of all germs must be that of scavengers. We all know the accident which caused the discovery which led to serum-therapy and the evolution of bacteriology. It was Jenner who discovered the specific inoculation which prevented the milk-maids getting small-pox. Does the speaker seek to belittle the world-wide benefits of vaccination? Does he mean to make the assertion that there are no pathogenic microbes? Has he never heard of ptomaines? Does he not know that a rabbit may be inoculated with tubercle bacilli, and quickly die? These are very well-known facts in all the laboratories of the country to-day; and, when I speak of all the laboratories, I mean to refer to the laboratories in this building, and to those of Yale and Harvard and Johns Hopkins, where the study of bacteriology has been carried to a remarkable extent. To have the results of these experimenters and the absolute facts that they have arrived at simply laughed aside, and to say that hydropathy is the thing, and that bacteriology is absolutely untenable,— why, it is a very ridiculous and unwise conclusion. I would like to hear some bacteriologists, if there are any here, deal with this paper in some of its aspects as it deserves to be handled.

You all know, for example, of the anthrax bacillus, which causes the disease of the sheep. I remember a very beautiful experiment I once saw. In this disease the anthrax invades the anterior chamber of the eyes, until it fills the space and becomes a compact and opaque mass. Then the phagocytes come out of the blood-vessels, settle around the anthrax, and absorb all the anthrax bacilli until they finally disappear. When these scavenger cells have finished their function of absorbing the anthrax from the eye, they migrate and re-enter the blood-vessels. They are lymph cells, and seem almost to possess a certain amount of intelligence. Here we see that the anthrax is the bacillus which has caused the disease, and the white blood corpuscle, or phagocyte, is the means Nature has provided for the destruction of the enemy.

Dr. Lee, of New York.— In behalf of Dr. Page, of Boston, and as secretary of this department, in view of the fact that the paper has been commented upon unfavorably, I think it my duty to say something. Now,

ladies and gentlemen, if animal serum, which is the diseased blood of sheep, goats, and horses, injected into the veins of human beings, reduced the death-rate, curtailed suffering, and cured tuberculosis,— actually benefited mankind, — the animadversions upon the paper of Dr. Page would go unchallenged. Read the statistics in the daily papers, and answer whether there is any lowering of the death-rate. Go into homes and tenements, and see the sickness and suffering, and confusion that results from such sickness and suffering, and then tell me whether bacteriology has saved and improved the health and life of human beings. A few years ago I was fascinated, bewildered, and carried away with the promise of permanent cures by bacteriology. I went to Europe, to Russia, to Pasteur's laboratory, and witnessed an immense amount of laboratory fabrication, the suffering among the dumb animals that were there experimented upon, and examined the statistical evidence. But I came away very certain that bacteriology was not a boon. It is a most fascinating study; it is a most engaging occupation. Only yesterday, in New York, one of the professors of one of the principal medical colleges, whom I met on the street, and who was on his way to the bacteriological laboratory, in a moment of frankness said: "I do not know whether all this labor I am giving the subject pays. What do you think?" Well, you all know what I think. I think it is a mistake. We do not need the bacteriological laboratory to tell people how to eat, how to drink, how to sleep; and we do not need it to tell us when to administer a purgative, an antiseptic, or an acid.

I think that, if there is any man who has brought disease and terror and hardship and misery into this world, it is Pasteur. In the history of this country for one hundred years there have not been so many cases of hydrophobia as are treated in one single year in Paris alone. Now what does that show? It proves that the Pasteur Institute has so misled people that, if they get a scratch or a bite, or even in some cases if a dog licks them, they become so terrified and fearful that they start right off to take the Pasteur hydrophobia cure. In the early use of the serum many patients died, and Pasteur became so alarmed that he began to dilute the injections. The remedy was more dangerous than the dog-bite. The truth of the matter is that the serum which is injected into human beings is so diluted at the present day that it is mostly faith-cure.

And with regard to vaccination, at the time Jenner lived, he could not have determined accurately, adequately, and sufficiently, from a scientific standpoint, that vaccination had a preventive influence. Jenner was not in good standing in the British Medical Society, and was not permitted to read his alleged discovery. Jenner was not a physican of importance in his own community, and yet time has nearly made a saint of him. There is a saying that every saint has a past, and every sinner a future. To-day we adore the memory of Jenner, yet many of us are not even familiar with the history of Jenner and his experiments.

I admit that germs are everywhere; but in practical therapeutics — in the cure of the sick or in the cure of your child — I fail to see that bacteriology has advanced our usefulness as physicians in the slightest. The cases that are supposed to be cured by anti-toxines can be cured more quickly and more directly and surely by other and simpler treatments, safer and more natural. I

myself have found no occasion to use serum. A pitiful case recently, which I could relate, was that of the daughter of a doctor, whose child died under anti-toxine,— animal serum, the diseased blood of a horse. After great suffering and lingering, his child died, and died because she was treated in an unnatural way. I am not an irregular, I am not unorthodox; but, ladies and gentlemen, do not let us shut our eyes to the facts. I see no advantage in the use of serum-therapy. I see no gain for you or for me. I doubt if Dr. Curtis uses it in his practice, and I doubt very much if he would use it upon himself. You may all recall the life-prolonging serum of Brown-Sequard, the vagary of one man unmindful of natural law. The man and his "Elixir of Life" are dead. Did Koch cure anybody that had tuberculosis? No, never. The treatment is to-day out of date. In Berlin Koch does not stand as a therapeutist. He does not stand as a man safe to trust even with simple diseases. As an abstract experimenter in bacteriology, he has gained reputation. And take the case of Pasteur, who died at a premature age, and died of the very thing that he tried to prevent,— gastritis. So extremely careful was this man not to take a germ into his stomach that he would not accept a biscuit or a piece of bread or anything from his cook or his servant or his wife, unless it was first sterilized and then wrapped in a sterilized cloth, and brought to him, to be eaten from the prongs of a sterilized fork. And he died of gastritis,— a disease which he, by all his laboratory knowledge, could not prevent.

II. DEPARTMENT OF EDUCATION AND ART.

1. A YEAR'S PROGRESS IN EDUCATION.

BY W. T. HARRIS, COMMISSIONER OF EDUCATION, UNITED STATES.

[Read Wednesday morning, May 9.]

In asking you this morning to consider a few of the statistical items which show progress in the education of the United States, I would first call attention to the fact that we obtain our statistics at the Bureau of Education in the first place from officials in charge of education in the several States and from the directors of private and corporate institutions. The data from these returns are studied in the light of previous statistics and printed reports published from time to time by the States and cities of the Nation.

It happens, of course, that there is a great deal of delay in getting in these returns. It may be said that about three-fifths of the statistics of the year ending on the last of June are in hand by the first of October following. Another one-fifth requires perhaps three months longer, and perhaps half of the remaining come in by the following April. It always happens that there are some institutions, and even entire school systems, that do not report at all for a given year. When this happens, the statistics last obtained from them are printed in the tables. Inasmuch as systems and institutions generally report an increase of school enrolment, it happens on account of this failure to get complete returns that the totals printed from year to year by the Bureau of Education are slightly less than the true totals. But this discrepancy in any case amounts to less than 1 per cent. in the totals.

The actual attendance on all the schools, public and private, in the United States for the year ending June of last year was 17,225,270. This includes nearly a half a million enrolled in the city evening schools, business schools, schools for Indians, for defectives, for the reform of criminals, private kindergartens, and other schools,— in the aggregate, 486,908. The number in private and incorporated institutions for education of all grades was

1,503,927; and the number in public institutions, called "common schools," was 15,234,435. We have nearly 21 per cent. of the whole population of the United States in public schools, and about 2 per cent. more in private schools at some time during the year. If these pupils attended every day of the annual school session, they would attend an average of 113 days in the South Atlantic division of States, 103 in the South Central, 174 in the North Atlantic, 152 in the North Central, and 149 in the Western division of States. The average school session for the entire country was 143.2 days. In 1890 the session averaged not quite 135 days; and in 1880, 130⅓ days. But the actual daily attendance averages only 69 per cent. of the total enrolment for the year. This means that our seventeen millions of pupils did not get 143 days, but only 99 days apiece the past year. Some attended the entire 200 days of the city school session; some of the pupils attended less number of days,— 180, 160, 150; and some attended only a very few days, say 20, or even less. There has been a pretty constant progress in the increase of the length of the average school term in the schools of the United States, and there has also been an increase in the average number of days of actual attendance. In 1870 each pupil enrolled averaged 79 days; in 1880, 81 days; 1890, 86 days; 1899, 98 days.

The statistics for the years 1897, 1896, and 1895, showed the gradual effects of the great business prostration in the United States, chiefly by the diminished attendance on private schools. In this country in good times the private schools have enrolled as much as 14 per cent. of the entire school enrolment, 86 per cent. being enrolled in public schools. The private school is the first to feel the effects of hard times; and the number fell from 14 per cent. in 1893 to 8 1-4 per cent. in the year ending June, 1897. This is a country under normal conditions of an increase in the diffusion of wealth. The number of very wealthy people increases from time to time, and so, also, the number of the wealthy and of the middle class. The relative number in the poor classes (those receiving less than $700 a year per family) decreases in prosperous times, and the number of families that receive more than $700 per annum increases. By reason of this change in private fortune it happens that there is a constant accession to the wealthy families; and these families, wishing to adapt themselves to a change in social condition, begin to send their children to private schools. A

few years ago,— I think it was in 1880,— the private and parochial schools in Great Britain enrolled 62 per cent. of all the school children in that country; while the board schools — that is to say, the public schools of the cities and large towns — enrolled only 38 per cent. The number in the board schools has so increased that it now slightly exceeds the number in the private and parochial schools. I believe that the attendance on private schools is a healthful sign, that a private school system with from 10 to 15 per cent. of the school enrolment is a healthful reaction upon the public school system, elevating the standards of qualifications of teachers and increasing the salaries paid by the public school boards.

Twenty-one per cent. of the population is a very large percentage to enroll in the schools, even if the average annual attendance is less than a hundred days. Even the class of pupils that attend only two weeks learn a little something of school discipline and a little something with regard to reading in that short time. Discipline signifies good, orderly behavior; and pupils that learn orderly behavior in school cannot help carrying something of this orderly behavior into their dealings with their fellows that they meet in the street or about their homes. If pupils stay a whole year at school, they learn a great deal about reading, and I wish to call attention to the significance of the public school in this matter.

We American people are always reflecting on what we do, and questioning ourselves as to its significance in the light of what is done by the rest of the world. With the exception of Germany, the other countries of the world have not until recently been educating their people *en masse* in public schools. Even in Germany this has not been at public expense until quite recently. Periodically, we inquire of ourselves whether we are mistaken in what we are doing for the education of all the people in schools. In the light of what Europe is doing,— namely, increasing its elementary instruction,— we may be forced to conclude that our movement is one likely to be adopted by the considerate judgment of all mankind.

Eight years ago I adopted a plan of averaging the results of education, public and private, by States for the whole school population, in order, first, to ascertain how much education each State was giving to its inhabitants as they passed through the school period of life. I found that four and one-half years of 200 days

each would be the total average for schooling in the United States in the year 1891. The average number of years schooling for each inhabitant in 1870 was three and one-third years; that for 1880, very nearly four years. Ten years later this had reached four and one-half years, and at present the number is almost exactly five years.

There are two points of interest in regard to this. One is that the total average amount of schooling offered to the people in our nation by their school systems is increasing with marked rapidity. The second observation that is provoked by the statistics is that the total amount that we actually give to our people is quite small. It is just enough to take a child through the average course of study in the primary school, and give him in addition one year in the grammar school. This is the average, but of course there must be many States which do better. For instance, Ohio, Connecticut, New York, and Pennsylvania each give more than six years of instruction; and the State of Massachusetts gives a trifle more than seven years, nearly enough to complete the work of the primary and grammar school. Some States, on the other hand, run down as low as an average of two and two and a half years for the schooling of their people. But even in the State with the most inefficient school system the amount of schooling is far greater than the average for the entire country in the early part of this century. I take it that the average schooling was only one-half a year of 200 days for each inhabitant of the United States in 1800, and that it had risen even as late as 1840 to only one full year. We cannot fail to notice the great progress in the decade from 1840 to 1850 (it was the decade of the celebrated labors of Horace Mann and of the rapid introduction of steamboats and railroad transit). The entire schooling of the country rose to a little over two years of 200 days apiece.

Let us come now to the important question: What do we undertake to do for the pupil in our elementary school, what does he get that is of importance to him? I answer: We may teach a person to read in the elementary school, so that he may be able to use the printed page and get from it the information which is stored up in it. He shall acquire an ability to use the printed page, so that he need not any longer depend for information upon the living voices of the persons who happen to stand near him, his relatives or playmates or fellow-laborers. He shall no longer be

obliged to get news of what is happening near and far from the persons he happens to meet in the street or from loiterers at the corner and in the bar-room. The trivial gossip and the reports of events that he hears by word of mouth through his village come to him through his ear; and, if illiterate, he cannot acquire a knowledge through his eye. But, as soon as he acquires the ability to read, he becomes master of a spiritual instrument for the enlargement of his environment. He becomes able to acquire other people's observations by the eye as well as by the ear. This distinction which I make between the ear-minded person and the eye-minded person is very important. The ear-minded person depends altogether upon a human environment that exists quite close to him. He is limited to the small circle within which the voices of others may be heard. He has no clear conception of accurate language. The colloquial language is anything but accurate. The mistakes of Mrs. Partington are the natural mistakes of one who catches words that do not belong to the colloquial dialect, and tries to repeat orally what he has heard only by ear. The colored people in the South, especially the illiterate ones, sometimes use the technical terms, terms of precision and reflection, which they hear educated people use. The ludicrous mistakes which they make are familiar to us all through comic literature. They hear somebody speak of an antidote for a poison; and they adopt the nearest oral equivalent for the new word needed, and call it a nanny-goat for poison. This confusion of terms implies the lack of scientific precision in thought. The lack of a technical vocabulary implies the complete dependence upon personal observation on the part of the ear-minded person. The eye-minded person begins to know his vocabulary more accurately, and therefore the eye-minded person makes progress from year to year where the ear-minded person does not. He gathers in accurate information, while the other one merely collects paradoxes or a burlesque of scientific information.

Even the person who gets this small amount of schooling of two years gets enough to initiate him into the use of the printed page; and in a country of newspapers he may go on gradually to such a degree of eye-mindedness that he may get far more accurate information from the printed page than from the oral information even of learned and competent persons. Besides that, he can have access to the learned men of all countries and all ages, and is not

limited to the narrow circle of his personal acquaintance. Book knowledge brings him into a school that lasts him as long as he lives. In fact, after his sixtieth year he grows faster than at any previous epoch.

I am sorry that the statistics regarding the newspapers and periodical publications of this country are not collected and printed in the supplement to the latest census report. They were summarized and hidden in the third volume on Manufactures, and escaped the attention of the public press. We need that kind of information, in order to understand well what is going on in the United States. The enormous editions of periodicals, and their wide circulation among all our people, have great significance in this matter of the change of our people permanently from ear-mindedness into eye-mindedness. One of the most important items in the census of 1880 was this exhibit of the tremendous increase of the printed page of the periodical.

Let us turn for a moment from this more general consideration of the statistics of elementary education and its influence upon our people to the question of secondary and higher education. In the increase of secondary and higher education we shall find one of the results of the growth of elementary education, for the training in eye-mindedness causes a higher estimate in the community of the value of books and book knowledge. People are, therefore, more and more demanding a high-school education for their children. When I moved to the State of Missouri in 1857, I found a public high school in existence in St. Louis. It has been founded by Missourians who had been born in Kentucky and Virginia, Southern men, with liberal ideas as to the education of the people; but it was always whispered among the less generous citizens that high schools ought not to be furnished at public expense, and it was prophesied that, when the tax payers came to consider it more carefully, they would abolish all schools above the elementary. They said that an elementary education free for all persons was enough, and perhaps more than the constitution of the State and the intentions of our forefathers would warrant.

There existed then about 40 high schools in the United States; but in the next ten years (and those years included the disasters of civil war) the 40 high schools had increased to 160. Then in the decade 1870 to 1880 the number of high schools increased to about 750, and in the decade 1880 to 1890 the number ran up to 2,400.

During the nine years succeeding 1890 the number of high schools has increased nearly to 6,000. This enormous development of high schools proves and illustrates the influence I have mentioned flowing from the increase of eye-mindedness, through learning how to read in the elementary schools. People get accuracy and precision through the knowledge of the printed word, and learn more and more what the book means to civilization. They become more and more eager to send their children to the elementary school, and from thence to the secondary or high school. The high school gives them an important supplement to the information obtained in the elementary school. In the lower grades a basis, or foundation, is given, a knowledge of the technical art of reading and writing; and in the higher school we have studies which are instruments of research, such as algebra and geometry in the place of arithmetic, and such as physical geography instead of descriptive geography. Physical geography opens the eyes of the pupil to the causes which produce the changes of land and water on the surface of the earth. Natural philosophy, or physics, gives one an insight into the forces heat, light, electricity, and gravitation, and into the structure of the machines by which man conquers nature for human uses.

In 1880 the number of pupils in each million engaged in mastering the studies of secondary and higher education was 4,362, about one in each forty-five of all pupils; in 1890, ten years later, the number had increased to 6,982, about one in thirty of all pupils; while during the next eight years the pupils in secondary and higher education increased to 10,000 in the million, or one-twentieth of the entire number of pupils at school. This is a prodigious rate of increase, and it illustrates in an unmistakable manner the growing conviction of the American people that secondary and higher education at public expense are necessary for the public welfare.

It is very interesting in this connection to consider the question of the education of colored people, because it has been asserted lately that in the South the colored people are receiving secondary education in abundance, while primary education is comparatively neglected. I have been looking this matter up, and my results do not confirm that view of the case. In 1880, while the population of the entire country had 4,362 persons in each million in secondary and higher education, the colored people had 1,289 pupils in

secondary and higher education out of each million; that is to say, the general average of the whole country showed three and one-half times more pupils in secondary and higher education than the average for the colored people. In 1890 the number of colored persons in high schools and colleges had increased slightly, — namely, to 2,061 in each million of the population, — and in 1898 to 2,202 in each million; but in the mean time the general average for the United States had increased in the manner that I have shown, — namely, from 4,362 to 10,342 per million in the eighteen years, — and the number in the colored high schools and colleges fell from less than one-third of the average quota almost to one-fifth of that quota. Of all colored pupils, only one in one hundred was engaged in secondary and higher work; and substantially that ratio has existed for the past twenty years. Education in the South has not advanced with its colored people towards secondary and higher education nearly so rapidly as with its white population. The average for secondary and higher education of the colored people should be multiplied by five to equal the general average for the United States.

When one looks for the causes of trouble in the South, these statistics deserve consideration, for they show that the colored people have not had enough secondary and higher education rather than they have had a surfeit of it. This will be clear at once when we understand that since the days of slavery the colored people have been left chiefly to their own teachers and guides in the school and pulpit. There has existed of necessity a very ignorant class of colored clergymen side by side with a smaller class of educated clergy. The ignorant class has altogether too much influence. The mind of an ignorant preacher consists approximately of ninety-five superstitions to each five eternal truths, and his superstitions (many of them) are reminiscences of fetishism brought originally from Africa. There is no need of discussion to show what a dreadful thing it is to have the leader of a people an ignorant colored preacher or an ignorant preacher of any color.

The secondary and higher work in education provided for colored people of the South is chiefly useful in producing teachers and preachers. If there were enough of them to give scientific and moral ideas in the place of superstitious ideas and to give the teachers a thorough knowledge of the subjects which they teach,

and especially a knowledge of human nature, a knowledge of what is in the minds of the white people, such secondary and higher education would be in every way helpful. I trust that the great conference that is now holding its sessions in Alabama will consider this point. There are enlightened men in that conference who understand the situation,— enlightened men such as Dr. Curry, whose great work in administering the Peabody and Slater Funds has done more than any other single influence to elevate the character of education throughout the South.

I presume that this error with regard to the preponderance of secondary and higher education in the South is due in part to the undue advertisement given to private schools for colored people, established by the benevolence of philanthropists; and it is in part due to the adoption of high-sounding names for institutions. For instance, the names college, seminary, high school, and academy are given to institutions which do not attempt anything except the most elementary school work. The statistics which we have taken in the Bureau of Education have been made accurate by requiring a report of the actual number of pupils studying each of the higher branches of study. In this way it is perfectly easy for us to separate elementary pupils from secondary pupils.

Returning to the point first made, I would say, in conclusion, that the increased desire on the part of the average American to have his children get secondary and higher education seems to me a very significant thing in view of the new demands made upon the citizen in our industrial civilization; for secondary education is the best education to fit the pupil for versatility in the industries. Through physics and natural history the child gets acquainted with mechanics and those phases of nature which he has to deal with in the creation of wealth. He gets an insight into the management of machinery, and comes to be able to measure forces and reduce them to control. Every man, woman, and child should know something of mechanism in this mechanical age. One city after another is adopting a form of secondary education which introduces elements of blacksmithing and carpentry, the working in wood and iron. No child who takes a course of study in this line once a week for a couple of years can fail to become more skilful in directing machines.

This points out for us an important element in the education of colored people. They need not only the humanities which give

them an insight into human nature and the forms of social and political organization of their communities, but they need also this education in natural science and in the use of tools for the wood and iron trades. Our great leader in this work in the South is Booker T. Washington, who justly receives constant applause in all parts of the country for his advocacy of the industrial solution of the race question in the South. But it is important that we shall see this question in its entire compass, and not take the educational solution in so narrow a sense as to hold that education in the trades is the only thing that the colored man needs. He needs to become eye-minded as well as ear-minded and to be trained in the habit of using the printed page.

2. THE ADVANCED PROFESSIONAL TRAINING OF TEACHERS.

BY JAMES E. RUSSELL, DEAN OF TEACHERS COLLEGE, COLUMBIA UNIVERSITY, NEW YORK CITY.

[Read Wednesday morning, May 9.]

The training of teachers is no new thing. No more is teaching a modern invention; but somehow we associate the subject on which I have been asked to speak with public schools and German pedagogy. It were quite as correct to associate it with the Garden of Eden and the educational reforms of the Adamite period. Teaching is certainly as old as human society. In fact, society may be regarded as an aggregate of teachers and pupils. Each person is now student, now teacher, now both at once. Teaching and teachableness are fundamental postulates of social advancement. The progress of civilization depends upon what is taught and what is learned.

In primitive society the individual is forced to adjust himself to his environment or perish in the struggle for existence. He must learn how to procure food, shelter, and clothing, how to adapt them to his needs, how to protect himself and assist his fellows. And just in proportion as he becomes proficient in these practical arts is he an efficient member of the social order. Every man learns much from his own experience, but it is difficult to conceive of a society so low in the scale that the young cannot profit from the instruction of their elders. Parental love furnishes a motive for the training of children in the family, and the desire for self-preservation arouses the interest of the clan in bringing up the young to its own standard. The plasticity of the individual, the forces inherent in the social environment, and the motives for personal advancement and tribal preservation are the dominant factors in primitive education, as they are in all education.

The spiritual possessions of a people early become an important means in the education of the young. The individual feels

himself a part of the social whole, and prides himself in the achievement of his ancestors. The consciousness of historic unity and the possession of tribal knowledge tend to dignify teaching, and to make it a profession.

Major Powell says in one of his interesting papers on Indian life that "in every Indian tribe there is a great body of story lore. . . . Every tribe has one or more persons skilled in the relation of these stories,— preachers. The long winter evenings are set apart for this purpose. The men and women, the boys and girls, gather about the camp-fire to listen to the history of the ancients, to a chapter in the unwritten bible of savagery. Such a scene is of the deepest interest. A camp-fire of blazing pine or sage boughs illumines a group of dusky faces intent with expectation; and the old man begins his story, talking and acting, the elders receiving his words with reverence, while the younger persons are played upon by the actor until they shiver with fear or dance with delight. . . . An Indian is able to talk all over,— with the features of his face, his hands and feet, the muscles of his body; and thus a skilful preacher talks and acts, and, inspired by a theme which treats of the gods, he sways his savage audience at will. And, ever as he tells his story, he points a moral. The mythology, theology, religion, history, and all human duties are taught. This preaching is one of the most important institutions of savagery. The whole body of myths current in a tribe is the sum total of their lore,— their philosophy, their miraculous history, their authority for their governmental institutions, their social institutions, their habits and customs. It is their unwritten bible."

Teachers are always preachers when this present life is of less significance than the life to come, when man is measured by the standard of the gods. In ancient Egypt, in Homeric Greece, and in the early days of Rome the priesthood was the guardian of national culture and public morals. In the Middle Ages the Roman Church was the supreme leader and preacher of society. The culture of the Western world, its language, customs, and laws, its arts and sciences, its theology and philosophy, were all disseminated through the Church. The monastic orders and the ordained priesthood of the Church were more than preachers of a new gospel. They were teachers of a new civilization. Common schools and universities were essential to the full realization of ecclesiastical policy, and at the end of the mediæval period

we find an educational system which for perfection of organization and practical efficiency has never since been surpassed.

The modern world, especially that part which is Protestant, is not inclined to give due credit to the educational work of the mediæval Church; but, when we measure that work by the magnitude of its results, we cannot conceal our admiration for the means and processes which were sufficient to weld together such heterogeneous elements, and to realize in alien people such high standards of life and conduct. From the social standpoint the value of education consists primarily in its ability to realize in the young the highest ideals of the age. It is not of prime importance what these ideals are. The aims of education must change with advancing civilization; and, when a new aim presents itself, another mode of education must be devised to meet the new conditions.

History affords many conspicuous illustrations of this truth. For example, we see in the Periclean age of Athens social ideals which are radically different from those which were upheld in Homeric Greece. The decay of Greek religion was signalized in the rise of Greek philosophy. The old social order was collectivistic. The individual was bound to follow his superior in the domestic, industrial, and fine arts as obediently as he followed his leader in the arts of war. The new social order was intensely individualistic. Distrust of ancient traditions, disbelief in ancient teachings, tended to free the individual from all social claims. Little wonder, therefore, that norms of conduct were denied, and that man — man as an individual — became the measure of all things. The new order demanded a new type of leadership. Society had previously depended upon "the doer of deeds." Now the call was for "speakers of words" who could sway the multitude by an eloquence founded on grammar, rhetoric, and logic. Hence the rise of the Greek orators and the schools of the Sophists. Later on Rome reached a similar stage in her social evolution, and the Roman leader in the forum borrowed Greek ideas and adapted the teachings of the rhetoricians to his own needs. It is deeply significant that the greatest treatise on Roman education is Quintilian's Institutes of Oratory, a book which has swayed educational practice almost to our own times simply because the orator has been the typical leader of society.

The immediate aim of mediæval education was (1) to train

competent leaders who should know the theology of the Church, expound its doctrines, and defend the faith, and (2) to develop a laity capable of being led. The Renaissance and the Protestant Reformation, however, set up a new idea,—the idea of individual human worth and responsibility. The authority of the Church was superseded by the authority of the Bible. A knowledge of God's word is prerequisite to the Christian life. Hence the translation of the Holy Scriptures into the modern languages, the making of catechisms, the creeds and articles of faith. Hence the need of preachers instead of priests and of teachers able to reach both head and heart. The Protestant Reformation broke squarely with the old tradition that rational education is only for the favored few, and established in its place the doctrine that the best education of which a man is capable is his by divine right. In these latter days, however, universal education is advocated, not as a divine right, but as a social duty. This shows that the times have changed. Factional strife within the Church, the materialistic philosophy of the enlightenment, the growth of the natural sciences, the development of trade and commerce, the introduction of a new industrial order, the rise of great national States,—these and similar agencies have revolutionized the ideas of the sixteenth century, and have made imperative a "new" education to meet nineteenth-century needs. Within the present century we have seen the grasp of the Church on the schools everywhere weakened, and in many countries finally removed. State after State has assumed the direction of its school affairs,—not for religious ends first of all, but primarily for the purpose of promoting civil order and social stability. Prussia led the way under the guidance of William von Humboldt, who designed the school system to make good to the State the losses of the Napoleonic wars. And when, in turn, France suffered defeat at the hands of united Germany, she sought directly to recoup her fortunes by the establishment of a State school system.

It were easy, were it necessary, to multiply examples of the gradual transformation during the present century of church school systems supervised or administered by the State, in the interests of the State. Even in England, where the Established Church has tenaciously adhered to its inherited rights and privileges in educational affairs, there had been a steady advance toward State control of education since the passage of the Reform Bill in 1832.

And each step in advance, it should be noted, has been coincident with the enactments for the enfranchisement of the commons. But the growth of democracy is not the only cause of the increasing State control of education. Governments so autocratic as those of Russia and Prussia have as eagerly concerned themselves with the education of their citizens as have the most democratic States. The leading motive for public education is, in short, the stability and security of society. And a sufficient reason, even if there were not other reasons, for State-supported schools is the inadequacy of other means of education. The social mind has come to recognize the fact that the Church is no longer able to shape society as it once did; and it also recognizes the fact that each generation is under moral obligation to improve the cultural inheritance and transmit it unentailed. Hence the resort to the strongest force in modern society for the accomplishment of this purpose. The process of socializing the individual — of making him an efficient, serviceable, loyal member of society — has no mean significance for social welfare. The end in view is one of the greatest of human needs, and it is equally the concern of every parent and every citizen.

I have already remarked that from my point of view society is made up of teachers and pupils. In one sense, there is teaching wherever personal influence is felt, and at every stage of social advancement there must be some means of training teachers. But teaching becomes a distinct vocation or profession only when the knowledge and skill required in the work cease to be communal possessions, and when the services have a definite social worth. A teacher's value is conditioned by his ability to bring the pupils to some end which is desirable. The more desirable the end, the greater is the dependence of those concerned upon the teacher who can attain it. Among primitive people a superstitious fear drives the tribe to rely implicitly upon the teachings of the medicine man. He is the recognized custodian of the revelations of the gods. He alone knows authoritatively what should be done to win their favor or to avert their anger. It has been said that the great theme of the Middle Ages was the restoration and glorification of the kingdom of God on earth. That was the ideal of the Roman Church, and it was the great work of the Church to realize that ideal. By fasting, penance, and prayer; by ritualistic worship in public and in private; by conversation,

confession, and preaching; by catechising and formal discipline,—the Roman clergy fashioned the mediæval Christians according to the ideals of the Papacy. This was the true educational system of the Middle Ages, and in it the church schools played only a subordinate part. The masses of the people were trained in the school of life,—a school permeated with ecclesiastical ideals and calculated to produce a simple, obedient laity. The mediæval teachers, it need hardly be said, were the priests and missionaries of the Church. Their training was the training of the priesthood and the monastic orders. It was distinctly professional in that they were possessors of a body of special knowledge, and had acquired the ability to use that knowledge in fashioning the masses after the Papal pattern. The work of these teachers was for the most part, founded on the laws of habit. From childhood the mediæval Christian was taught precisely what he should think on the most important affairs of life, and through the ritualistic practices of the Church his body was trained to enforce the dictates of head and heart.

A new era in the training of teachers was ushered in with the Protestant Reformation. The doctrine of justification by faith superseded the doctrine of salvation by works. The times demanded preachers of the new faith, men who could appeal directly to the conscience of individuals, and inspire them to a holy life through self-directed effort. The work which Protestant preachers had to do was radically different from the work of the Roman priesthood. Hence a new mode of professional training of teachers was instituted. It included a new theology, new ideals of life, and new forms of instruction, government, and discipline.

I have said enough, perhaps, to show that the professional training of teachers is enormously complex. It must change with the changing ideals of the age; and for any given period it must vary according to the needs of particular classes in society. In a word, the training of teachers is conditioned by the ends to be attained through education, the capacity of those who are to be taught, and the nature of the material and methods which can be employed in instruction. The problem as conceived by the vast majority of teachers is comparatively simple. The parent trains his child, the master workman his apprentice, the business man his clerk by precept and example. Under the apprentice system in education the novice is (1) told what to do, (2) is shown how to do it,

and (3) is compelled to do it until the habit is fixed. This method has its advantages. It secures a precision, exactness, even perfection in workmanship, and that with a minimum expenditure of energy. It is the training that makes soldiers and the men who fight in the ranks everywhere in the industrial world. It produces happiness and social contentment by limiting personal ambitions, and by giving to men the consciousness of ability to do something in life. It also has its disadvantages: it tends to arrest the development of the apprentice at the stage attained by the master. This system is universal; and when carried to the extreme, as in ancient Egypt, China, and mediæval Europe, it produces a stagnate civilization. It cuts off the individual from doing many things that he might do. It prevents him from becoming all that he might be. It is the system above all others that sacrifices individual possibilities to the desires of society.

We have need nowadays of a system of education which will assure to every man the ability to do something well, and which at the same time will enable him to become all that he has a right to be. Unfortunately, in this country, our greatest educational institutions — the family, the Church, the press, and the school — do not always work in harmony. Whether wisely or not, the burden of training children aright has been placed upon the school. The school, therefore, must be made the centre of all educational influences, and administered in such a way that it shall utilize the results of educational effort in all other social institutions.

Education is no longer conceived merely as a preparation for the life that is to come, but rather as a means to the rational enjoyment of a life of service in the present world. Recent changes in popular theology have lessened the terrors of future punishment. The modern industrial order no longer insists upon its old-time training of apprentices. The stores of knowledge are piling up as never before in the history of civilization. The aim of education is a disputed question. There is no dominant motive, such as hope of future reward or fear of eternal damnation, which compels society to follow its appointed leaders. There is a ceaseless strife over the ways and means of attaining ends which are desired. These facts all tend to show that our modern educational system is a chaos. Never, I venture to say, has there been such need of leaders in the educational field. We need men

trained to research and investigation, who shall increase our knowledge and help us to ascertain the truth. We need men trained in the study of social phenomena, who shall help us define more clearly the aim of education and the conditions with which we have to deal. We need specialists in psychology, who shall disclose to us more surely the nature of the human mind and the course of its development. We need particularly men trained in education, who shall bring to the rank and file of the teaching profession the fruits of scholarship, and have the ability to organize and manage school systems in a way to secure the greatest permanent good. What we need, in a word, is more special scholarship and the skill to make it of greater social service.

The home of special scholarship in these days is the university. Notwithstanding the indifference of society and the meagre support of the State, the American university has steadily sought to promote the interests both of society and the State. It has maintained departments exclusively devoted to the training of those who will become servants of the people in professional life. In theology, law, medicine, engineering, agriculture, and the practical arts, the university aims to turn out capable leaders. The modern university, indeed, professes to be an institution "where any person can find instruction in any study."

No one will deny that the interests of public education are as great and as urgent as the interests of law, medicine, or engineering. The university is true to itself, therefore, when it undertakes the professional training of teachers. University departments of education have as their special function the investigation of educational foundations, the interpretation of educational ideals, the invention of educational methods, and the application of educational principles. The science of education — I refer merely to that systematized body of knowledge which has to do with education — needs to be developed and made over to fit modern conditions. What these conditions are, how they have come to be, and wherein they are subject to change are questions which can be answered only in a university. No purely professional school can economically undertake the research and investigation involved in furthering a study with so many ramifications as education. Theoretically, then, a university professional school for teachers is concerned with the advancement of all the arts and sciences of which a university takes cognizance.

The relation of other university studies to education is twofold. First, there are subjects which contribute directly to the science of education, such as biology, which is concerned with vital processes; psychology, which discloses the nature of mind; sociology, which deals with the interrelations of individuals in society; and ethics, which seeks to establish the principles of right action. Second, all studies, regardless of their immediate bearing on the science of education, are to be considered as means of informing and developing the minds of the young. While any or all of these studies may be pursued without the remotest reference to educational practice, it is clear that he who would advance either the science or the art of education must avail himself of the results of expanding scholarship in many lines. He must also be constantly seeking more efficient methods of using these results in the attainment of ends which themselves are subject to change. No one believes, I take it, that university residence is an indispensable prerequisite to scholarly work in any subject; but of all the subjects worthy of study, of research and investigation, I know none which can profit more by the university atmosphere than the subject of education.

It is significant of the breadth and liberality of our American universities that they permit nothing to stand in the way of progress,— not even custom and tradition,— when once a line of advance is clearly presented. Within the past few years nearly all our leading universities have created departments of education. Some of them have gone further, and established professional schools for the advanced training of teachers. It is too early to expect much from these efforts to promote educational interests, but signs are not wanting of substantial service in the near future. The work which has been done in Clark, Harvard, New York, Cornell, Michigan, Chicago, Wisconsin, and California, is full of promise. In one respect Columbia has a unique opportunity. We have a Teachers College organized on the same academic basis as the schools of law, medicine, and engineering. Our students, whether making a special study of the kindergarten or manual training or Latin, have unrestricted access to any department of the university wherein they are qualified to work. We make special provision for the training of superintendents, principals, and supervisors of schools, of teachers for colleges, normal schools, high schools, elementary schools and

kindergartens, and of teachers and supervisors of domestic art, domestic science, fine arts, and manual training. Our buildings and equipment represent an investment of over $1,700,000, and our annual expenditures now exceed $200,000.

The work peculiar to Teachers College is that which is technically educational. This consists of courses in the history and philosophy of education, in school economy, in the theory and practice of teaching, and in genetic psychology and hygiene.

Psychology, physiology, and child-study stand first in order among the required subjects of a technical nature. The special aim in these courses is to know the child, to become familiar with the psychical characteristics of infancy, childhood, and youth, to gain some insight into the influences of heredity and environment, and to understand the processes of the normal adult mind. The course in child-study is supplementary to the prescribed courses in systematic and applied psychology. It is designed to present the facts, so far as they have been scientifically determined, concerning the nature and development of the mind during childhood and adolescence, with special reference to the meaning of these facts to the teacher. It seeks to provide the student with sound criteria for estimating the theories about the child's mind and to give practice in right methods of observation and experiment.

The general course in the history of education aims to ascertain what standards of culture — what ideals of life and what methods of training the young to assume the duties of life — have prevailed in the past or now exist among various peoples. It shows the growth of civilization and discloses some of the causes of progress. It reveals instances of arrested development, and suggests means of obviating it. In the first half-year of this course the chief types of ancient education — Egyptian, Chinese, Hebrew, Greek, and Roman — are presented in the light of the history of civilization. The continuation of the course in the second half-year gives special attention to the interaction of Greek, Roman, and Christian influences in forming the educational ideals and shaping the school systems of mediæval and modern times. A part of the course is devoted to the reading and discussion of selections from the classics and the works of later writers on education.

The course on the principles of education aims to lay the basis for a scientific theory of education, considered as a human institution. The process of education is explained from the stand-

point of the doctrine of evolution; and the fundamental principles thus arrived at are applied from the threefold standpoint of the history of civilization, the developing powers of the child, and the cultivation of individual and social efficiency. The courses in the history and philosophy of education thus seek to establish reliable foundations for all educational practice.

The prescribed courses in the theory and practice of teaching are concerned with both the science and the art of education,— with the science so far as it is dependent upon the laws of mental development, with the art so far as it involves the application of these laws in observing, planning, and teaching a series of lessons. The introductory course, which grows directly out of the course in general psychology, has as its special aim the development of a scientific method of the recitation and application of the principles of method to various studies of the elementary school. Then follows a period of training, under actual class-room conditions, for all students who are not experienced teachers.

The classes of the Horace Mann School, from the kindergarten up through the high school, are open to students who are qualified to undertake systematic study of the courses of instruction or to engage in actual teaching under the guidance and criticism of the school instructors. It is not the purpose of the Horace Mann school, however, to provide means for practice and experimentation except along lines already demonstrated as safe and reliable. The proving-ground, both for pupil teachers and for untried methods of instruction, is a series of special courses, under the immediate supervision of the professor of the theory and practice of teaching, organized as an experimental school.

All other courses of the department are either optional or required only of candidates for diplomas in special subjects. Under the head of the Theory and Practice of Teaching the following courses are offered: kindergarten methods, primary teaching, critic teaching, and the principles and methods of teaching English, French, German, Greek, Latin, history, mathematics, biology, geography, and geology, chemistry, physics, art, and drawing, domestic economy, and manual training. In speaking of these courses as "method courses," I am using the term in its broadest sense. In dealing with nature students, there is little need of putting exceptional stress upon technical devices and formal class-room procedure. The main thing for them is to see

the relation of each particular subject to other subjects of the curriculum, to appreciate its educational value, to fix the principles that shall govern its presentation, to select and arrange the materials of instruction, to devise ways of illustration and application, and to construct systematic and scientific courses of study. The broader a teacher's general culture and the deeper his special scholarship, the greater his need of giving particular attention to ways of doing his work. The person who has only a meagre knowledge of his subject may be able to summon all his forces at any moment. His greatest concern is to hide his own defects. The master, however, knows that he has a vast storehouse to draw from. He realizes the seriousness of his task and the physical limitations imposed upon himself and his pupils. His main thought must be to discover the best instruments at his command and the most effective manner of using them. Such training, whether self-imposed or gained from others, is essentially professional.

Students who are prepared to do graduate work have the opportunity of pursuing advanced courses in all the lines above mentioned. The course in school supervision and management is especially intended for those who will enter upon administrative work. It includes school criticism and discipline, observation and study of typical school conditions, school organization, departments, classification, examinations, promotions, curricula, appliances, architecture, and sanitation. Allied to this is the course of school hygiene, which deals with the hygienic construction of school buildings; the heating, lighting, ventilation, and equipment of class-rooms; the hygiene of instruction and fatigue; school diseases and defects of sense; and practical tests of physical and mental ability. Then follows a course on foreign systems of education, as compared with our own,—chiefly the national systems of Germany, France, and England, in respect to their administration and supervision of educational affairs, kinds of schools, school curricula, methods and scope of instruction, and the training, certification, remuneration, and duties of teachers. Five seminars are also open to graduate students who desire training in methods of research in the history, theory, and practice of education.

I am well aware that the work which we are doing is not all that it should be. In fact, I am painfully aware of its many de-

fects. But I do claim for it the virtue of honesty and scholarly ideals. We believe that scholarship is a first essential in the teacher's equipment. We also believe that the honest teacher should know what he is working for, the nature of the materials with which he has to deal, and the most workmanlike way of accomplishing his purpose. It is now altogether pioneer work, but the day is coming when teachers' colleges will be a part of every university system. And, when that day comes, there will be no occasion to make an apology for the advanced professional training of teachers.

3. THE ARTISTIC *VERSUS* THE SCIENTIFIC CONCEPTION IN EDUCATIONAL METHODS.

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[Read Wednesday morning, May 9.]

"The primal duties shine aloft like stars,"

says Wordsworth. The same may be said of the primal principles of education. But sunlight by day as well as clouds by night may keep the stars from being visible; and some of that which is important in education may be obscured in enlightened as well as in dark ages. Breadth of outlook does not always insure a sharp lookout. Many a man stumbles because he fails to feel the need of keeping his eyes upon the pathway. To keep them upon this, when moving forward with others, is absolutely imperative in only the leader. Those behind him may advance satisfactorily to themselves by merely following his motions, though, occasionally, from their point of view, taking that which to him is hindermost for the foremost, that which to him is incidental for the essential. Another element also enters into the result. Whatever is primary in any subject is usually the property of all. Why need the leader in thought dwell upon it? Why need he bring to the front anything except his own contribution? But while doing so, at the same time ignoring other considerations, he may consciously or unconsciously emphasize it too strongly, and thus, for those whom he influences, destroy the proportions of the whole of that to which he has sought to contribute. To this result some, at least, of the vast expenditure of thought on the part of our ablest educators — with no fault of their own, perhaps — seems to be tending. Many an ordinary modern teacher has become so preoccupied with the new, even when secondary, that he disregards and disesteems the old, even when primary.

Accordingly, when the thought occurs to one, as it will at times, that men like Plato and Æschylus, Virgil and Tacitus, Shakespeare and Bacon, Lessing and Goethe, and the public whom they

entertained as well as interested, were not, in all regards, more poorly educated than are the journalists and magazine-illustrators of the present day, together with the constituency that supports them, the supposition may not be altogether unfounded. If not, if there ever were more common interest in a more thorough and deep treatment of subjects than is common at present, it must be because former methods of education trained to more thorough and deep methods of thinking. To suggest that this may be the case is to verge, of course, upon educational heresy. The heresy may become too rank for polite designation when it is added that the fact suggested may be true for the reason that modern education is founded too exclusively upon what those who have originated it are proud of terming scientific methods.

I am aware that the distinction which I am about to make between studies intended to impart information and to impart discipline has often been made before, and that my original contribution at this point consists solely in the terms which I have chosen to use. Nevertheless, I have thought it wise to use them for two reasons. First, because I have noticed — mainly from what I know of theological controversy — that when a man, in an argument, begins to call names, he invariably calls attention to what he has to say. When he follows the advice of the devil in Faust, and begins to quarrel about words, the world, of which the devil is prince, begins to crowd around him. But, besides this, I have noticed, in the second place, that, when he begins thus to awaken attention, he sometimes causes a few — a very few, "the remnant," as Matthew Arnold might say — to think about the name that he has used, and of his reason for using it.

What is the difference in aim between one who devotes himself to science and one who devotes himself to art? This: the former strives to inform and the latter to perform. Science develops the powers of understanding and increases knowledge. Art develops the powers of expression or execution, and increases skill. In exercising the powers of understanding, a man is expected to observe facts, and from them to draw certain principles. The first man did this; and scientific educators argue that, therefore, the latest man, the child, should do the same. So the one to be instructed is given, if studying English or a foreign tongue, not an old-fashioned A-B-C Book, but a page of consecutive reading matter; if studying mathematics, not an old-fashioned addi-

tion-table or multiplication-table, but numerals arranged for computation; or, if studying law, not an old-fashioned Blackstone, but cases that have been actually argued and decided in court. He is told how to infer from certain completed results — and, when so told, he is expected to remember — the principles of phonetics, linguistics, mathematics, or law. There is undoubted truth underlying this inductive method, especially as applied to more mature minds. Such minds probably do retain best that which they have been able to associate with other things, and have obtained as a result of their own inferences. But this method is not one that can be applied, except subordinately, to the immature minds of children; and this for two reasons,— one founded on the nature of the child's mental actions, and the other on the nature of education. As concerns the child's mental actions, it may be said that neither induction nor the recollection by way of association that accompanies induction is natural to any mind that has not at its command a comparatively large collection of facts. These the child does not possess; and because he does not possess them, because he has nothing with which it is possible for him to associate the new, he is obliged to remember every word or fact that he hears for what it is, so to speak, in itself. For a similar reason he is obliged to treat every statement as a separate proposition; and from this his mind immediately proceeds, by way of deduction, to create ideal forms for imagination and ideal standards for conduct. Only later, somewhere between the ages of twelve and twenty, does he naturally begin to remember by way of association, and to think and to act as guided by induction. Nevertheless, all through life it is extremely important for him to retain the results of the mental habits formed earlier in life through the processes especially characterizing childhood, — in other words, to continue to remember some things aside from associations, and to form imaginative deductions. These latter are essential, not only to the creations of art, but to the hypotheses of science, as well as also to the conduct of life, which often must carry to logical conclusions the intuitive promptings of conscience wholly aside from reasons derived from any facts that can form a basis for induction. The time to train growth in a tree or a man is when the forces of life which one wishes to train are most active. If in childhood, at the period when memorizing by rote and the kinds of imaginative and con-

scientious action which are outgrowths of the deductive method are natural to the mind, these tendencies, instead of being utilized, are checked in order to develop exclusively, or only mainly, memory by way of association and mental action by way of induction, what is to prevent the mind in manhood from being only half developed? One does not like to make personal applications; but the cases are not few, either in the past or present, in which men educated by scientific parents or guardians have manifested to the end of their lives abnormal deficiencies in all the three directions just indicated,— that is, in rote-memory, in imagination, and in conscience.

Now let us pass on to the second reason for doubting the wisdom of making too extensive use of the inductive method in childhood,— the reason founded upon the nature of education. Where does a child's education begin? Not as extreme advocates of the inductive method would have us believe, where the first man's began, but where the last man's — in this case the child's parent or teacher — left off. The child accepts and uses as general principles the arbitrary statements supplied by his elders. He uses the word Fourth of July long before for himself he has discovered it to be the fourth day of the seventh month. He refrains from crying and scratching and lying long before any inductive method has convinced him that these may possibly annoy or injure some one else. Hundreds of things are expected of him, and, when he is normally educated, must be required of him, before it is possible for him to understand them as explained. Moreover, even if he could understand them, his mere understanding of them could not insure his ability to execute them. In other words, to make the principle involved exactly applicable to the subject before us, to understand things, as is necessary in science, cannot, of itself, enable one to do things, as is necessary in art.

Granted that a pupil may be trained to read or cipher by being made to understand, he cannot be trained thus to read effectively,— to use his voice as in acting or as in operatic singing, or to cipher well, as when beating a calculating machine. For these results he needs to obtain skill. Skill can be acquired only through practice; and this practice, like that of one learning to play on a musical instrument, always involves the continued repetition of certain analyzed elements. Does not the larger

result include the smaller? Can one approach artistic proficiency in reading or in ciphering, or in any branch involving action, without this repetition of analyzed elements? He might, indeed, were education merely the imparting of information. But it is not. It includes the imparting of ability to use information.

As is well known, probably nothing with which the mind comes in contact is ever lost. In cases of fright, fever, hypnotism, the most minute details of events perceived, and whole paragraphs of languages not understood nor even consciously overheard, are repeated with infinite accuracy. What is true of this information is that very little of it thus proved to be not lost can be recollected, so that, at will, our minds can use it. That which enables us to recall it is largely physical, depending on the fineness, extent, and vigor of the convoluted surface of the brain-fibre,— in other words, on the physical strength of the brain. This has been proved by both *post-mortem* and *ante-mortem* examinations. A child or an aged man, on account merely of physical weakness, has difficulty in recalling words or arguments which, in the strength of manhood, require no effort; and if, to the natural strength acquired by age, be added that acquired by training, the complexity of the results recalled, will, to an untrained mind, seem miraculous.

It is a trite thing to say — and, if one were not accommodating himself to the foolishness of others, it would be a foolish thing to deem it necessary to say — that the only way to train physical facility, inside the brain or outside of it, is through repetition. The child learns his own or a foreign language by hearing it repeated, and by being himself made to repeat words and phrases. For repetition of this kind, childhood is distinctively the age, because it is the age of imitation. Of course, when introduced into schools, such repetition is tedious, but not necessarily so for the pupil, if the teacher have sufficient vitality and grace to mount the platform and beat time picturesquely. Then the whole performance, because rhythmical, may become, to the very youngest, as entertaining as a rehearsal in a kindergarten of either Mother Goose's or Mother Grundy's melodies. But what if such repetition be tedious for pupil as well as for teacher? Must there be absolutely no obstacles in the pathway of learning? Is the necessity for hard work in mounting upward and

onward an excuse for sliding downward and backward? The truth is that some things must be learned by rote, and can be learned satisfactorily in childhood only. In the former district schools of our country the addition-table and multiplication-table were repeated in unison by all the pupils at least once every day. There are thousands of children of the present of whom such practice is never required; and their parents are told that the children need not learn these tables at all. Apparently many of them never do learn them. Why would it interfere with a reasonable alternation of what are termed scientific methods to continue to devote thirty or forty minutes a day to this kind of work; *i.e.*, to repeating — possibly by way of singing — not only these tables, but certain other rudiments of knowledge now ignored altogether, like the order of the letters of the alphabet, and their phonetic sounds when combined, and, later, in connection with maps upon the walls, geographic names, and, still later, paradigms and vocabularies of foreign languages?

Arithmetic and Cæsar's Commentaries are as interesting as puzzles to a child whose mind adds, subtracts, multiplies, declines, conjugates, and translates the forms conjugated automatically. If, because of never acquiring the ability to do this, more advanced studies seem to the pupil wholly uninteresting, this is less frequently because he is dull than because his teachers have failed to carry out certain first principles of the department to which they have devoted themselves. Of course, all teachers, even when most "advanced," do not ignore these principles. No common system can deprive every agent of it of common sense. But, if they were not ignored by some, we should not find — as we do to-day, and would not have done thirty years ago — college students who cannot use a dictionary to advantage, because they have never learned automatically the order of the letters of the alphabet; who cannot pronounce a long word never seen before, because they have never learned automatically the phonetic sounds of the combined letters; who, after taking the highest classical honors in our first academies as a reward for facility in stumbling through an exercise in what is termed "reading at sight," nevertheless, because they cannot translate automatically the grammatical forms, fail utterly to recognize the delicate interchange of relations between word and word which used to be considered the chief advantage of studying the classics; and, worse still, when

viewed practically, who, after passing through algebra and geometry, have too little arithmetic facility to become successful candidates for clerks in country stores, because they cannot add or multiply automatically, but, in making the simplest calculations, must count on their fingers. These are some of the results — by no means universal, but sufficient in number to indicate tendencies — of an endeavor, before minds are prepared for this form of culture exclusively, to cultivate powers of inference and of consequent invention. The endeavor is wise so far as the mother of invention is ignorance. But, possibly, in searching for educational methods, it might be equally wise for us to go to the other extreme. This is what is done in Turkey. The children there spend their entire time, apparently, in repeating aloud what they have to learn. But, owing to the powers of memorizing thus cultivated, the average Oriental, in early manhood, can probably learn five foreign languages while the average American of the same age is learning one of them.

What the Oriental has not learned to do is to *associate* as well as to recollect. A man who is to use to advantage that which has come to his eyes and ears needs to recollect it at the right times and places. That he may do this, that he may attend to many things and collect them together and do both promptly, the pupil needs to be trained by questions necessitating unexpected connections between things that seem consecutive when learned by rote. I was once permitted to visit all the rooms in the Stuttgart Gymnasium, an institution which has a ten years' course attended by pupils between seven or ten and seventeen or twenty years of age. I found that no work was required outside of the recitation-room, except now and then certain written exercises not expected to necessitate more than a half-hour's time. I found, moreover, that while in the recitation-room the pupils were constantly under the fire of the teacher's dictating or questioning. The translating into Latin or Greek, for instance, was done not by placing a boy before a dictionary, but by telling the whole class the meaning of a new word, and having all, singly or in concert, repeat, declaim, or conjugate it sufficiently to fix it in memory. This method, pursued too exclusively, probably fails to cultivate mental independence. At any rate, the German university student seems to be deficient in this. But, so far as concerns the effect of the method upon mere learning, is it any won-

der that pupils so instructed are prepared, after reaching the university, to understand page after page of quotations in Latin when merely read to them? Few American students, if questioned as to the meanings of such quotations, would not feel constrained to explain to their German associates that in our country we pronounce Latin according to a different method. Dr. Mark Hopkins, of Williams College, until he was more than seventy years of age, was accustomed to meet his Senior classes nine times a week, and every exercise during the year, with exception of twelve in which he delivered lectures, was devoted to questioning; *i.e.*, to making the students recall with right associations facts and principles which they already knew, and in such an order as of themselves to build up the philosophic theory that he wished to impress upon them. Of late years there seems to have been less and less of this kind of instruction in our country, owing largely, too, to the influence of teachers who have studied in German universities, and apparently know nothing of the kind of instruction given in German preparatory schools. We have institutions in which subjects like even English and Classical Literature, Political Science, and Philosophy are taught entirely by lectures. The theory, of course, is that the lecturer can thus give in a brief compass an exceedingly comprehensive outline, and that the students will fill this in by obtaining information — which here, again, is treated as the chief end of education — from books which he recommends. In a professional school, which the German university is,— a school in which the amount learned is to determine the amount to be earned, is to determine very often the position to be assigned by the government as a result of the university examination,— this scheme works. But in the race for a diploma which characterizes the American university, in which students in curriculum as well as in athletics are prone to facilitate themselves upon their dexterity in stripping off every non-essential encumbrance, the scheme sometimes fails to work. Frequently the only thing that does work, and this does not work hard, is the recollective faculty while memorizing a printed syllabus for a few hours immediately preceding a term examination. This memorizing represents the exact amount of practical training that the study of mental philosophy, for instance, has given one. The study has developed in only the slightest conceivable way the ability of the pupil to analyze appearances,

to associate ideas, or to draw conclusions. Practically, as applied to this branch, the difference intended to be indicated by the diploma granted to one who has gone through a university course and to one who has listened to a course of university lectures has been obliterated. It is a question whether boards of trustees in all undergraduate institutions should not require in all branches some instruction in addition to that imparted through lectures. Unless these latter be followed by the questioning of a recitation exercise, there is no guarantee that the student will understand them, and almost a certainty that he will not remember them or be able to apply their principles.

This thought suggests another element of education. The student needs to be trained not only to *recollect* and to *associate*, but also to *apply* his information. In this regard one would naturally suppose that our methods would be more satisfactory than in those already discussed. Americans are themselves too practical not to have their education practical to some extent. At the same time, ciphering, translating with dictionary in hand, working in laboratories, and composing sentences, paragraphs, metaphors, similes, and analyzing themes, is not done to a sufficient extent under the eye of the instructor, which is the only certain way of securing independent work. In important directions, too, there is a tendency to teach very practical branches theoretically. For instance, the requirements in English for entrance into our colleges and universities — requirements recommended by committees of instructors, and now almost universally adopted — necessitate mainly the reading of certain whole novels or poems of high character. No one can object, of course, to accustoming the young to pure English as used in such works as these, but he can object to the proportion of time allotted to their perusal. He can argue, too, that there is no such knowledge of style acquired through reading them as compensates for a neglect of training of a more strenuous character. In reading a long novel, for instance, not even a mature mind, and still less an immature one, notices style after becoming interested in the story for its own sake; *i.e.*, after passing beyond the first or second chapter. Style, too, is a matter of contrasts. No one kind of it can be recognized except as it is compared and contrasted with other kinds. It can be best studied, therefore, in books containing collections of short stories or essays. Moreover, even as studied in these books, style has little practical effect in

training one's own methods, except when the phraseology is either committed to memory, as were passages of the Bible by Bunyan and the many old English writers whose methods of composition this book influenced, or else when intentionally imitated, as in the training given themselves by Stevenson and Henry Clay. Admirable, therefore, as are in some regards these English requirements, the simple truth is that often the time required for reading and learning facts really immaterial with reference to characters and transactions in the prescribed literary works leaves little opportunity for the kind of study of style which is most practically beneficial. A similar result seems to threaten the universal adoption, now urged by many, of quantitative requirements in other branches. Why would not these requirements magnify quantity at the expense of quality, especially in parts of the country where preparatory schools are inferior and where State pride, as also State universities, tend to leniency on the part of examiners? How many teachers aiming to have their pupils fulfil these requirements would be stimulated — or sufficiently independent when not stimulated — to keep their pupils, as Dr. Taylor of Andover used to do, reciting for an hour and a half on five lines of Virgil, laying the foundation, as he thus did, for the most accurate scholarly development? Undoubtedly, there would remain great teachers in the country; but would the system tend to develop them? Might it not rather tend to produce the conditions existing at present in China, where, with the most thoroughly organized universal standards of examination in the world, scarcely one man is able to think at all, except by way of recalling what some one else has said or done? It might seem strange that what has been termed the scientific conception in education should consummate thus; but it would not be the first time that pushing a pendulum to one extreme has enabled it to fly the more readily to the other extreme.

So far as our methods of teaching have developed tendencies in the direction that has been indicated, these seem indisputably owing to the introduction of scientific studies,— studies designed chiefly to impart information. It is undoubtedly true that our educational system, as it existed thirty years ago, needed to have these studies introduced. But they might have been introduced — substituted in some instances, adapted in method in others — so as to interfere less than has been the case with that disciplining of the mind which up to that time had been the chief end of our

colleges as well as academies. Upon the system then existing, composed of colleges and of post-graduate schools of theology, medicine, and law, a university system might have been developed through supplementing the post-graduate professional schools already established by similar schools training experts and teachers in physics, chemistry, and all the natural sciences, as well as in philosophy, language, and history. Instead of pursuing this course, our educators have allowed nature-studies, not always directed toward a disciplinary end, to crowd out drill in primary schools, and to overload the higher schools with an amount of work for which there is often neither time nor equipment. Into many of our colleges, too, studies have been introduced which can be pursued successfully by only a post-graduate. Together with the introduction of these has come the elective system,— a system which, though of inestimable benefit in some regards, has in other regards, as at present conducted, proved injurious. Frequent practical results of it are that, with only a nominal oversight, students devoid of needed mental training elect their courses upon the principle that those are — so to speak — the most delectable which trouble one the least with questions either in recitations or in examinations, and that professors, who are human, vie with one another for popularity, and in courses thus falsely estimated not only by the students, but also, because of this, by certain of the trustees who imagine that the sizes of a professor's elective classes give the true measure of his ability. Nevertheless, despite the tendencies just mentioned, all resulting primarily from an endeavor to introduce more science into our educational system, despite this lessening of mental drill in order to give place to information, I have never yet heard one professor of long standing in a professional school admit that undergraduate courses — say in Hebrew, anatomy, chemistry, or law, though pursued as a special preparation for the professional school — could shorten the course required in this school itself — largely because the special study is not pursued in the sub-graduate institution, and, as is claimed, cannot be pursued there in the right spirit or in the right relations. In other words, as much time has to be spent in our professional schools as of old, notwithstanding the fact that the ages of students entering them are probably two years above what, with our better facilities for instruction, their ages would have been if, thirty years ago, our educators had not started out to load the old

system in the direction of quantity. That their practical influence has been in this direction is simply a matter of record. How few of the published entrance-requirements of our colleges and universities fail to dwell upon quantity — so many books of Virgil or Homer — rather than upon quality! How few fail to mention time — so many years spent upon Latin or Greek — as a prerequisite for even any examination at all! Yet I have personally known one man — of course an Oriental — who, six weeks after he had seen his first Latin word, knew as much about the language, and could write as accurate a thesis in it, as any of his hundred classmates who, fulfilling all the conventional requirements, had presumably studied the language at least six years.

This suggests the last thought of this paper, which is that the student needs to be trained not only to *recollect*, to *associate*, and to *apply* his information, but also to *advance* in information. Revolutions seldom go backward. Probably we never can reinstate the educational conditions of thirty years ago, and, as we might once have done, develop from them, as they were, a satisfactory American system. Probably only by going forward in some direction can we now compensate for what, because we did not avail ourselves of it when we could, we have lost. Let us look at this last requirement, therefore, with this suggestion in mind. Could there be a greater waste of time than to require six years' study of the man just mentioned, who could master a language in six weeks? Could mental activity receive a more effectual quietus than through keeping bright pupils, as is done in many of our schools, for a year or two upon one study, when, if allowed to go at their own gait, they could finish it in a few months? Could desire to understand and to master be more effectually benumbed than by dragging an equal number of dull pupils out of a lower class and into a higher, before their slow minds have become able by thought to comprehend or by practice to apply the principles that underlie the studies taught in the higher class? Yet all these results are common in the graded system of schools and colleges, upon which we pride ourselves. Of course, those who have provided us with the system have provided remedies for its drawbacks. In one large section of country of which I know, a mere boy deficient at the end of a year in a single branch is made to go back and repeat all the studies of this year. In most well-regulated colleges a student must repeat them all, if deficient in

two branches. In other words, because lacking preparation or facility in one or two directions, everything in the young mind that stimulates interest or encourages ambition is blocked. Why not have a method accommodated to the needs of the individual rather than sacrifice the individual to the method? Why not, in part at least, extend to all higher institutions the plan that has been pursued for many years with signal success in the University of Virginia? Why not do away, in part at least, with the class system, except as applied to term work in individual branches; and in these, at the end of each term, open the door and let the bright pupil mount on and up, and turn the dull one back or into some other branch, in order to give his understanding another chance? Why not grant diplomas to those who have completed prescribed courses, whether at the end of one year or of ten? Why not apply in education the principle of concentration which all successful men apply in after-life? One year spent exclusively upon Greek or Latin would give many minds four times as much knowledge of these subjects as four years of attention divided between them and half a dozen other branches.

If it be thought that this method of hurrying forward those who are themselves forward would deprive them of the benefits of personal quizzing and practice, why not add examinations in quality as well as in quantity, and give diplomas for what a man can do as well as for what he can recall? This, in fact, would merely carry out the old conception of the degrees of arts. A Master of Arts was once supposed to be able to use his knowledge, just as a Doctor of Philosophy was once supposed to be able to philosophize, and not — owing, as there is reason to suspect, to a modern endeavor to make a scientific study of English — merely able to count on his fingers the numbers of consecutive and alternate alliterations of each letter of the alphabet in some rightly forgotten Anglo-Saxon doggerel, and all this without sufficient intelligence to be aware that he is wasting his time.

This thought suggests excuses, if they be needed, for reading this paper before an association like this rather than before some educational convention. One excuse is derived from the fact that in America the hope of arresting what is deleterious in any direction lies largely in an appeal to public as distinguished from professional sentiment. Especially, as directed toward educational institutions, does public sentiment with us determine patron-

age, benefactions, and, to a large extent, the policies of boards of visitors and trustees. But, besides this, it may be said that all conventions having to do with action are apt to be dominated by men who have the spirit of the advocate, whose influence, therefore, tends to produce the result mentioned in the opening paragraph of this paper; *i.e.*, tends to emphasize some new contribution to such an extent as practically to destroy the proportions of the whole of the old system to which it has contributed.

Indeed, this very result has actually been produced upon many of those following our own professional leadership. Is there not something therefore in the suggestion that new methods should not be received without question, before they have commended themselves to popular common sense? It was this latter, as embodied in the practical clergymen, lawyers, and merchants who were our forefathers, that developed the system of education in vogue in our country twenty-five years ago. This system was given to text-books rather than to lectures, and to an immense amount of repeating, drilling, questioning, reciting, writing, and declaiming, all of which methods, from those of the primary school to commencement stage, were designed to be — what it seems extremely difficult to get into the heads of many scientists of the present day — means, and not ends. And what of this former system, every part of which was a constituent element of the whole? For fifty years it turned out, in proportion to the knowledge imparted,— I am not saying that more knowledge might not and ought not to have been imparted,— the most thoroughly equipped citizens, whether considered as merchants, inventors, thinkers, or leaders in any department of action that, perhaps, the world had ever seen. It made men efficient even though it may have left them somewhat deficient. If it did not enable them to catalogue many of the important facts in material nature, it did enable them to marshal most of the essential forces in human nature.

In the days of Beecher and Phillips,— both of whom, whatever we may think of their genius, are on record as attributing their facility to the methods of their education,— probably three times as many well-prepared agitators for a great reform, cultivated, too, in the sense of being skilled from the bottom of their brains to the ends of their tongues and fingers, could be found in America as in England. Even to-day it would be scarcely possible in our

country to stumble upon a convention of physicians or merchants, say, who would begin to suggest, as applied to the arrangement and persuasive presentation of their thoughts, the general air of inefficiency that pervades all but exceptional conventions of the kind in Europe; while, probably, nowhere would even a European expect such resourceful ingenuity to be manifested by the average civil or military official or private as among those hailing from our own country. There is more than one cause behind every effect; but the practical efficiency of the American mind up to this time has been due, in part at least, to the method of American education. Is it not worth while for all of us to ask in what degree this whole method, root and branch and fruitage, is now threatened? and, if it be threatened, what may ultimately be the results, as well as what may be done to prevent results that may prove deleterious? These questions are asked, not in any pessimistic spirit, but with a firm conviction that they will be answered satisfactorily just as soon as the American people can be brought to perceive clearly their relationship to present conditions and to prospective developments.

4. FALSE AND TRUE TEACHING IN OUR SCHOOLS CONCERNING ALCOHOL.

BY PROFESSOR W. O. ATWATER, OF WESLEYAN UNIVERSITY, MIDDLETOWN, CONN.

[Read Wednesday morning, May 9.]

The laws of nearly all our States require that the curricula of our public schools shall include physiology with special reference to the action of alcoholic beverages. But there is a wide difference between the teaching on this subject in many schools and in many text-books, on the one hand, and the teaching of the colleges, universities, and medical schools and the leading physiologists of the world on the other. If the alcohol physiology now being taught in our public schools as a branch of science is scientifically correct, then it cannot be pedagogically or ethically wrong and there is little reason for discussing the subject. But if it does not tally with the most reliable conclusions from scientific observation and experiment, if what is taught as truth is half-truth or partial untruth, if doubtful theories are set forth as settled facts, if a rule of conduct is based upon an unsound theory, if the attempt is made to improve the morals of the men of the future by a wrong teaching of the boys of to-day, it is pedagogically and ethically wrong, and ought to be altered.

The dietetic value of alcohol has been a subject of much discussion and experiment, and opinions have differed with reference to it. Some substances are clearly foods, some are clearly poisons; some may act in either or both ways according to circumstances. Alcohol belongs to the last class.

Alcohol is not a complex material made up of different ingredients. It is a simple chemical substance. Nevertheless, it has very different actions. A chemist can analyze many substances, and separate the parts which are nutritious from those which are poisonous. He cannot do this with alcohol, but in experimenting upon its action must take it as a whole. This complicates the experimenting, and makes the interpretation of the results diffi-

cult. That alcohol may be injurious, that in large enough doses it is unquestionably a poison, and that in smaller quantities, taken habitually, it may be extremely harmful, there is no shadow of doubt. On this point there is no disagreement of authorities. But whether, or under what circumstances, it is injurious when taken in moderate quantities is a very different matter; and here opinions disagree.

At the meeting of the International Physiological Congress held in Cambridge, England, in September, 1898, an effort was made to obtain an expression of opinion which might be taken as a consensus of leading physiologists regarding this special subject. The occasion had brought together some of the best known authorities from the different countries of Europe, America, and even Africa and Asia. The attendance did not include a great number of men, but did include a number of great men. The following statement, drawn up by Professor Michael Foster, of the University of Cambridge, who was the president of the congress, was printed and offered for signature: —

The physiological effect of alcohol, taken in a diluted form, in small doses, as indicated by the popular phrase "moderate use of alcohol," in spite of the continued study of past years, has not as yet been clearly and completely made out. Very much remains to be done; but thus far the results of careful experiment show that alcohol, so taken, is oxidized within the body, and so supplies energy like common articles of food, and that it is physiologically incorrect to designate it as a poison,— that is, a substance which can only do harm and never good to the body. Briefly, none of the exact results hitherto gained can be appealed to as contradicting, from a purely physiological point of view, the conclusions which some persons have drawn from their daily common experience, that alcohol so used may be beneficial to their health.

Very little objection was made to this statement by the members present; and over sixty, including many of the most celebrated physiologists of our time, appended their signatures to it, thus giving it their formal approval.

Taking the terms "food" and "poison" in the meanings in which they are commonly used, I think we may properly say that alcohol may act as either food or poison, or both. Speaking in a general way, we may say that, taken in small quantities, it may often be very useful as nourishment, especially for aged

persons or those with weak digestion or in sickness, while in larger quantities, and taken habitually, it is very apt to be harmful and often extremely injurious. Theoretically, we must distinguish between moderation and excess, between the use and abuse of alcohol. Practically, it is very difficult to tell just where moderation ends and excess begins.

If we speak of alcohol as food, we must be careful to bear in mind that it is not and cannot be a food in the same sense in which bread and meat are foods. Food performs two great functions. One is to build body tissue and keep it in repair: the other is to yield energy in the form of heat, to keep the body warm, and muscular, or other energy for its work. Alcohol cannot build and repair tissue, but it does yield energy to the body. In just what ways or under what circumstances the energy is actually useful to the body, experimental inquiry has not yet told us, though we are gradually learning more and more about it.

To take the theory that alcohol is in no sense a food, but always a poison, that it is never useful, but always harmful, and allege that this theory is supported by the great bulk of scientific authority, is gross misrepresentation. We may look over the literature of the subject, and cull out statements which may be used to support such a view. We may even find writers of more or less repute, who attempt to defend it in the light of scientific experiment. In this way, we may accumulate statements which the unsuspecting reader may be led to regard as proving that the scientific authority is on this side of the discussion. We may unconsciously go further, and persuade ourselves that there is scientific ground for adopting such theories, so often and so truly is "the wish the father to the thought." In our great anxiety to find every means to work against the evil wrought by alcohol, we may gradually come to feel ourselves justified in presenting all the arguments we can against it and in ignoring all we can on the other side. But this does not turn theory into fact or falsehood into truth.

The following quotations are from "approved" text-books on physiology used in our schools: —

Nature apparently makes no effort to appropriate it [alcohol]. It courses everywhere through the circulation and into the great organs, with all its properties unmodified. Alcohol, then, is not, like bread or beef, taken hold of, broken up by the mysterious

process of digestion, and used by the body. It cannot, therefore, be regarded as an aliment.*

Alcohol is universally ranked among poisons by physiologists, chemists, physicians, toxicologists, and all who have experimented, studied, and written upon the subject, and who, therefore, best understand it.†

Alcohol is not a food or drink. Medical writers, without exception, class alcohol as a poison.‡

It must be remembered that, in whatever quantity or wherever alcohol is found, its nature is the same. It is not only a poison, but a narcotic poison.§

These statements are misrepresentations. They belong to a kind of doctrine which pervades many of the "approved" text-books and much of the common temperance instruction. They are none the less false or wrong, both scientifically and morally, because the object is to educate our youth away from evil. The misstatements are none the less reprehensible because they occur in school-books bearing the official indorsement of a great temperance organization, whose membership includes thousands of the noblest, the most conscientious, the worthiest women in the world. Nor does it help the matter that such statements are repeated and such theories promulgated with the sanction and enforced by the authority of the church, in the teachings of the Sunday-school, and from the sacred desk.

Do not misunderstand me. I am not imputing wrong motives. I bring no railing accusation. I charge no one with intended wrong. Many of the men and women who do these things are my acquaintances. Some are my warm personal friends. Their standing in the community is so high that no arrow of aspersion can reach them, their characters are so pure that no stain can tarnish them, their names are in my memory, and their faces in my vision, as I write this. But I ask that they consider the facts, as I am sure they have not considered them; that they look into the evidence, as I am sure they have not looked into it; and that they remember in their attitude toward these questions the principle I have read in their own writings and heard from their own lips,— that the foundation of morality is the truth.

* Steele's "Hygienic Physiology," pp. 178, 179.

† Quoted from Youmans in "Blaisdell's" No. 2, p. 232.

‡ "Eclectic," No. 3, p. 37. § "Authorized Series," No. 3, p. 58.

What we should teach about Alcohol.

What any one individual believes should or should not be taught about alcohol is perhaps of very little consequence. I venture, however, to suggest some of the things which, it seems to me, may properly be taught.

1. Alcohol is, under some circumstances, a valuable nutriment in the sense that it can yield energy to the body, but not in the sense that it can build tissue. It is under other circumstances a poison in the sense that it is injurious to health. When taken in large enough quantities and for long enough time, it is destructive to life. It is sometimes very useful and sometimes very harmful; but in many communities the harm that comes from drinking vastly exceeds the good.

While we cannot deny to alcohol a nutritive value, that value is very limited. In yielding energy to the body, it resembles sugar, starch, and fat, though just how and to what extent it resembles them experimental inquiry has not yet told us. It differs from them in that it does not require digestion, and is hence believed to be more easily and immediately available to the body. It is not stored in the body for future use, like the nutrients of ordinary food materials. The quantity that may be advantageously used is small. If large amounts are taken, its influence upon the nerves and brain are such as to counteract its nutritive effect; and it becomes injurious in various ways. And, finally, there are many people who begin by moderate use and are led to disastrous excess.

Alcohol may be useful to one man and harmful to another. One may take considerable without apparent harm, while another may be injured by a very little. One may use it habitually without injury, while another may not. In sickness it may be a priceless boon. But it may likewise be the cause of physical, mental, and moral ruin.

2. The boy or the man, as long as he is in good health and does not need alcohol for medicine, is in general better off without it.

3. While some can drink a little without danger of drinking to great excess, others cannot. The safest way is to keep out of danger.

4. There are business considerations also, as well as those of

health, that strongly favor abstinence. The boy who wants to make his way on a railroad or in a large business establishment has a better chance to get employment and to work up into a profitable position if he is an abstainer than if he is a drinker. Already many such establishments refuse to employ men who drink, and there is reason to expect that more will do so.

5. Temperance is always advisable. This we may emphasize most strongly. But whether or not we shall teach either the duty or the advisability of abstinence is another matter. About this the best men differ. Two who disagree may be equally honest. Each has the right to express his own convictions, and may often feel it his duty to do so. But it is neither just nor wise to teach our youth that the doctrine of total abstinence rests upon undisputed principles of either physiology or morals. The question whether a man should be a total abstainer depends on two considerations. The first is one of policy. Will drinking injure him? If so, he had better abstain. If not, he may drink. But he must be sure of his ground before he begins, and he had better wait until he reaches maturity and understands himself and the subject well before he takes the risk. The other consideration is an ethical one. Remembering that he does not live for himself alone, what will be the effect of his example, and what is his duty? The rule of conduct in this respect is a matter for him to decide. You and I may have the right to advise him, but the decision is between himself and his own conscience.

6. The duty of right example we may urge very strongly. Paul's doctrine of abstinence from what may cause others to offend is a rational and forceful appeal to conscience. An ambitious and right-minded boy wants to be an influential and useful man. He should be taught that it would be better for the community at large if there were less drinking, that the community is influenced by the example of strong and good men, and that his own personal influence will be better if it is on the side of temperance.

7. Great as is the danger of alcohol to purse and health, the moral injury is incomparably worse. Its most terrible effect is its demoralization of character. Howeyer much good men may do in helping others to save their money and promote their health, a still greater service to their fellow-men is the service which helps them to a higher plane of moral living. And here is the strongest

argument of all in favor of that self-abnegation which leads us to do those things, and those things only, which will best enable us to render that service to our day and generation. In that way we do our noblest duty to our fellow-man and to our God.

Errors in the Current Temperance Teaching.

Ethical Considerations.

The misstatements in text-books of the type referred to above are of various kinds. Sometimes the error consists in stating doubtful theories as attested facts. In other cases the principles laid down are partly true and partly false. In still others the statements are squarely opposed to the results of all the latest and most accurate scientific research. The statements are enforced by quotations, some of which are taken from real authorities, but are too often put in such ways as to misrepresent their actual teachings; while others are from men who do not stand for the best research and the highest scholarship, but who are quoted, nevertheless, as the most reliable authorities. I do not mean that the approved text-books are all wrong. A great deal of what they say is entirely true. In the parts not bearing upon the action of alcohol there is often little to criticise and much to commend. The trouble is this admixture of error. The impression they give the pupil is that science teaches that alcohol, even in moderate quantities, is always harmful and never useful. This is untrue.

The object is to oppose an enormous evil, to teach our youth to resist that evil. The purpose is most worthy. The fault is in the method. The evil being clearly defined, a doctrine is formed to meet it; and evidence is sought to sustain that doctrine. Whatever can be found in its favor is exaggerated; whatever opposes it is ignored or denied. It gradually ceases to be the propagandism of the few, and becomes the creed of the many. It is the old story of human dogma, repeated over and over again in politics, in theology, and in morals. And here, as in many other cases, the worthiness of the cause and the earnestness of the advocates are such as often to "deceive the very elect." Indeed, the very best people often become the most sincere and devoted advocates of the doctrine. In this case the scientific expert is not deceived. But the statements are put in such persuasive ways and sustained

by such seeming force of scientific authority that the unsuspecting pupil, and indeed the teacher who implicitly trusts the text-books, are led to believe that they represent the real teaching of the best physiological science. Talking on this subject with a teacher, I reminded her of Lincoln's saying, "You can fool all of the people some of the time, and some of the people all the time; but you can't fool all the people all the time." She replied, "But can we not fool the boys until their character is formed?" I am sure this teacher was perfectly sincere. I am equally sure she was wrong. You cannot build character on falsehood, nor can you get around the difficulty by falling back on definitions. Tell a boy that a thing is poison, and he will suppose you mean by poison what he means by it and what people generally mean by it. He has not access to the particular dictionary or scientific treatise which contains a definition that may be stretched to fit your meaning. You may persuade him for a time that it is poison in the popular sense of the word; but, when he grows up, he will learn that he was mistaught,—indeed, he may learn it before he is grown up. (Scholars in the higher classes share the present tendency to scepticism.) When he finds out that he was deceived, he does not mince matters. He reasons with himself: "That teacher and that text-book lied. If they would lie in one case, they would in another; and I am not going to believe anything they told me." Even if he does not go so far as this, even if his faith is not lost, but is only shaken, the harm is done. The effect is to undo much of the good that the teaching is intended to do. Furthermore, and what is still worse, the result must be to impress upon the pupil — and by the most effective agency, that of example, the example of the school, the Sunday-school, and even the pulpit — the idea that deception is allowable in a good cause, that the end justifies the means. This is undermining the very foundations of morality.

This evil, so intrenched behind the earnest aspirations of our community, and so fortified by legislation, is the one against which I protest, and which, it seems to me, we ought to oppose. But we meet here a very peculiar difficulty. The object of this teaching is a noble one. When we criticise the method, we are in danger of seeming to oppose the object; and yet the improvement in method is necessary for the attainment of the end. It seems to me that one of the great obstacles in the way of true temperance

reform is found in the exaggeration which constitutes so large a part of the means used to promote it. It is building on the sand. The place to build is on the rock of attested truth.

You see, then, that I am not trying to set up a dogma in opposition to "scientific temperance instruction." I earnestly approve of the purpose, but I object in part to the method. I protest against the dogmatic teaching of scientific theories which still lack demonstrative proof. Still more do I protest against the teaching of what science shows to be positively erroneous. And I also ask that the teaching of science in our schools keep pace with the progress of research.

But what are we to do about it? I hesitate to make positive suggestions, but venture these considerations: —

The success of instruction in temperance depends very largely upon its spirit. If it is based upon a real desire for truth, if disputed principles are referred to as questions rather than as demonstrated facts, if no more is claimed than is proven, and if under these limitations the evils of alcohol are clearly set forth, especially when the teacher speaks with the power of accurate knowledge and profound conviction, the instruction cannot fail to be incalculably useful.

Still more effective will it be, in my judgment, if less stress is laid upon the material — that is, the physiological and economic side of the question — and more upon its moral aspects. Our people are keenly alive to ethical ideas; and youth is the time when thought is fresh, when ideals are kept in view, and mind and heart are open to the truest ethical impulses. The harm which alcohol does to health, the economic injury it brings to the individual and to the community, are terrible enough; but it seems to me that the supreme evil resulting from its misuse is its effect upon character, its power of demoralization, the moral ruin which it brings. As one who has been interested in temperance reform from childhood, I have come to believe that we have been depending too much upon the economic and physiological argument. Statistics of the nation's liquor bill do not appeal very strongly to the ordinary man: still less does the average boy care for them. The men who know most about the physiological effects of alcohol are specialists in physiology and hygiene. I know scores of these men. Total abstainers among them are exceptions: I was about to say rare exceptions. But, if these men are not persuaded by

the facts they know so well in theory and in practice, what can we expect from teaching the average boy or girl a little of the theory? The supreme object of education is the formation of character. Character is shaped by education, but its basis is morality. Temperance reform is moral reform. The mind and heart of youth are most strongly influenced by moral thoughts, by ethical ideals. There you can keep within the truth, and there make the strongest appeals.

One of the essentials of success in temperance reform is that whatever is taught as science shall be placed upon the basis of demonstrated fact. This means a change of base on the part of many of our most earnest temperance reformers; but that change is a necessity. We wish to help the drunkard to reform. Is it necessary to tell him that no man can touch alcohol without danger? To build up the public sentiment upon which reform in the future must depend, we wish our children to understand about alcohol and its terrible effect. But, when we teach them in the name of science, shall we not teach them the simple facts which science attests and which they can hereafter believe rather than exaggerated theories,— rather than errors, which, when discovered, will tend to undo the good we strive to do? In short, is not temperance advisable even in the teaching of temperance doctrine? In the great effort to make men better there is one thing we must always seek, one thing we need never fear,— the truth.

5. EDUCATIONAL RESOURCES OF THE COMMUNITY.

BY SAMUEL T. DUTTON, OF NEW YORK CITY.

[Read Wednesday morning, May 9.]

The word "education" stands for much more than it did half a century ago. Then the term, in its common acceptance, was made to include schools and teaching, and little else. It has gradually come to be understood that education is the name of a process which begins at birth and continues to the end of this life, and probably far beyond. It is seen that this process is carried on through many channels, and is subject to a great variety of influence. Man is educated by means of all the institutions and forces that operate upon him and which affect his life and character. In other words, education, both as regards man and society, is the means whereby civilization is attained. That we are painfully conscious of the defects of our civilization only leads us to give larger significance to education, in order that these defects may be overcome. Mr. Edward Carpenter, in his book entitled "The Cause and Cure of civilization," takes an exceedingly pessimistic view. He treats it as a disease, and declares that human society in its movement forward has never yet been able to pass sucessfully this crisis. Nation after nation has arisen, and achieved wonderful heights in learning, in art, and in state-craft, but has finally succumbed to the enervating influence of a highly civilized life. Those people, who to-day are proudest of the past and have the greatest faith in their destiny are probably less blind than the nations of ancient and mediæval times to the dangers which lie in their pathway. They have faith to believe that with universal education made free to all the forces that make for progress may prove superior to those of degeneration and decay, so that the catastrophes which have darkened the pages of history may in the future be averted, and that peace and enlightenment may finally reign supreme.

One fact is patent to us all,— that educational activity is a domi-

nant force in modern life. In this country and in Europe there is a growing sense that national strength and greatness must rest upon the intelligence and character of all the people. It is timely, therefore, to inquire, What are our educational resources, and how can we economize them to the best advantage, so that the whole American people may become sensitive to their opportunities and earnest in their pursuit of a higher life,— in short, how they may become truly educated?

From one cause and another we have become a nation of large towns and cities. It is customary to ascribe this social change from rural to urban conditions, which has been going on so rapidly, entirely to the influence of industry. This, no doubt, is a potent factor; but people are naturally gregarious. They have always been so. The valleys of the Tigris, of the Euphrates, and of the Nile, contained vast cities, when industrial conditions were distinctly different from what they are to-day. The same thing is noticeable among all ancient nations as well as in later times. Any effort, therefore, to inventory the educational resources of a modern community leads us directly to the cities in which the larger number of our people dwell.

These resources may, for convenience, be grouped in three general classes: first, homes, churches, schools, and libraries; second, newspapers, magazines, museums, the drama, industry, and government; third, those intellectual and ethical aptitudes of the people which make it possible for them to be quickened and influenced in the right direction. The impulses, ambitions, and emotions common to us all constitute the most powerful element in our capacity to be improved, These, then, are some of the most important educational resources.

Looking at the first group, we see four institutions which, in their educative power, are greatest. The home, which is at once the most ancient and the most divine of all, and which in its ideal condition is the most important and influential, is not all that it should be in our American life. While the other institutions of this class are simply means to an end, the home is an end in itself; and the church, the school, and the library perform their highest function when they minister to it. Here it is that little children, while they are most plastic and impressible, receive those early lessons that determine to a large extent the quality of the after-life. Nothing is so much needed in America to-day

as good homes, where parents are temperate, just, and kind, where every domestic virtue is active, and where peace, harmony, and mutual affection dominate.

There is no more constructive force in modern life than the church, standing, as it does, for man's responsibility to the Almighty and for the consecration of self to the good of mankind; but I venture to affirm that the churches fall far short of their privilege in not affiliating themselves more closely with the interests of the home, the school, and other social forces. All methods of elevating the human mind and the human heart to a higher level are one in their purpose and general nature. The greater part of the work of the modern church is educative work. Its weekly programme presents a series of classes and exercises which are not unlike much that is found in the school. In fact, the purpose is to enlist many people, not only in believing the truth, but in taking part in good works.

The school, also, in its best development, seeks to promote the subjection of self to the interests of the community, to create an atmosphere that is favorable to self-denying and faithful service. Thus it appears that the functions of the church and of the school have become more nearly alike, so that it might almost be said that the ideal church and the ideal school are in perfect agreement, and are seeking the same end by very much the same methods. This suggests the thought that in the more mature development of these forces the terms "education" and "salvation" will come to mean much the same thing; and certainly under present methods of interpretation it is difficult to find a great difference between them.

And here I must protest against classing the school and the library as secular institutions. It may be a convenient use of the term in some relations to class the school as secular; but, intrinsically, it is no more secular than the church. In any Christian country, where sincere and consecrated teachers are endeavoring to bring out in the lives of the young the best that God has implanted, both the effort and the result are fit to be classed with that of the most devoted of the saints of earth. In a vast number of cases the teacher is essentially a missionary; and while he may not go in priestly garb, and is not perhaps permitted to use the Bible, he never for a moment forgets the responsibility he is under as a Christian man or a Christian woman in guiding and

shaping human souls. When we remember the vast multitudes of children in this country who flock daily from the slums to the schools, and think what it means to the nation to have these children trained into Christian citizenship, we realize that the word "sacred," and not "secular," is most fit to be applied.

The place which the library holds, and is destined to hold, in our American life, has yet hardly been appreciated. As the process of education comes to be more generally applied, and the conditions affecting the millions who toil for existence are made more favorable by better wages and shorter hours, it is seen how necessary it is that this "people's" university should be established in every large community, with doors standing invitingly open, so that in this treasure-house of the accumulated wisdom and experience of past ages men and women may continue their education, and in the companionship of good books find solace and inspiration.

Leaving this group of educational forces, let us glance for a moment at the second. The newspaper is already an influential factor in the instruction of the people; and, as society grows better, its standards will be higher. There is much in our best magazines that is indicative of improved literary and artistic taste, as well as breadth of thought and feeling. Our museums of art and history are growing, and will become more and more a means of enlightenment. The drama is undoubtedly on too commercial a plan. I am not sure that the State might not profitably subsidize certain places of amusement for the sake of bringing before the people the highest possible order of dramatic representation. Nothing is better than the best in dramatic art, and nothing is worse than the poorest.

Industry has ever exerted an influence in the control of education; and such is the case to-day, not only because our industrial system presents a vast object-lesson, but because it makes certain practical demands which have to be met in the schools. There is nothing more impressive in its power and influence than government. In a country where a free people express their convictions and wishes through laws and customs, there is a constant exercise of civic intelligence and activity, which is both educative and elevating. What does government not do for us to-day in the way of protection, of beneficent aid and kind restraint! However much there may be in our municipal affairs that is insincere and

unpatriotic, we know that we enjoy good government, and that, wherever public provision fails, private effort is ready to step in and supply what is needed.

There are doubtless other educational forces which I have not mentioned, but in naming these we have an array that is quite surprising. In these various institutions and forces lies the hope of the future.

If all these forces could be made to work in harmony, their power would be invincible; but the trouble is that they do not pull together. There is a force of individuality and a persistence of type that often seems to defy any attempt at unity of action. Even with these three classes, I have not named all the resources of a community which make for education. There are the stories and traditions of the past, touching the good and brave deeds that citizens have performed both in peace and in war. There are monuments and buildings that recall stirring events and that appeal to patriotic pride. Still more important are the philanthropic activities of the present time, wherein men are showing forth their belief in the brotherhood of man and are giving practical expression to this sentiment. Prejudice, the spirit of caste, narrowness of view, and false data are all hindrances to completeness of community life and the accomplishment of fruitful work. People have too little faith in each other, and are either suspicious or indifferent. The treatment which frogs in the pond receive at the hands of thoughtless boys is the method by which any one who lifts his head above the common level is induced to subside. Thus the highest social interests suffer. There is too little mutual sympathy or public spirit. Attempts at constructive reform are both sporadic and individualistic. There is no lack of activity, but it is not of the sort that tells for permanent good. Institutions and forces grow, and render indifferent service; but the lack of concerted action prevents unity, and the result is imperfect.

With this general view of educational means at our command, and the obstacles with which we have to contend, I find good ground for encouragement: first, because there are some in nearly every community capable of leadership; and, second, because there are many others who are capable of being led,— in fact, because nearly all people may be classed under one or the other of these heads.

Allusion has already been made to the fact that people are pos-

sessed of instincts and attitudes which render them susceptible to influence. Take the parental instinct, for example. What will father or mother not do for their children? The innate love of offspring affords a powerful leverage by which certain lines of educational reform may be urged forward. To many the claims of patriotism and philanthropy are strong enough to induce them to combine with others for constructive work. If therefore, in a given community, proper leaders, inspired by high aims and ideals, are set at work, great and good results may be accomplished. Whenever one reputable citizen, endowed with wisdom and far-sightedness, and possessing faith in his fellow-man, sees the particular educational need, and goes courageously to work to meet that need, he is sure to have followers. He soon becomes the centre of a group of people who are ready to do self-sacrificing work. The problems of education are not generally best attacked through the medium of smoke-talks and elaborate dinners, although one might think so from the prevalence of these methods. There must be candid, serious study of the whole situation in any community before the organization can become influential or effective.

Speaking more specifically, what are the chief ends to be attained in our large communities which call for voluntary, organized effort?

First, these great institutions which I have enumerated must be federated and brought into close co-operation. That narrow view which regards the church as responsible for one thing, the home for another, and the school for still another, must be dispelled; and it must be understood that they are all working, or should be, for one and the same thing,— working, to be sure, in different ways and with different means, but with the single purpose of cultivating the ideal life in every human being. Time will not permit me to give a detailed statement of how these forces can help each other. This part of the problem is not difficult when once people recognize that the present segregation of social and educational interests is wasteful and unfruitful. Hitherto, if there has been anything wrong, if too many crimes are committed, or young men and women do not readily find employment, the fault is laid at the door of the school, when the real trouble may be with any one of a half-dozen other influences or it may be because of the lack of co-operation to which I have referred.

Second, coincident with this effort to bring about co-ordination

and unification in the community life through its great social institutions, there should be an earnest effort to improve the social mind, to elevate the taste and appreciation respecting books, the drama, art, music, and such other things as afford nutrition to the higher nature. When the great issues of human life and human elevation are held before the public mind, there never fails to be a response in the form of a truer and more stable public sentiment. These ends cannot be accomplished in times of storm and stress, but are the result of quiet, steady growth when the community is not rent by partisan strife.

The programme here outlined would not in its results be revolutionary only as affects the attitudes of the people concerning educational reform. There would be a broader perspective and a larger sense of the unity of all effort for broad and liberal education. Moreover, there would be, naturally, the greatest variety in the kinds of work undertaken. Let me prove this by referring to a conference of societies doing educational work recently held in the town of Brookline. These organizations, about twenty-five in number, many of them known as Educational Societies, came together for a third annual conference in May. Brief reports were made by their delegates, showing what had been done during the past year. It appeared that, while the primary purpose of most of these societies had been to improve the public schools of the community, the field in which they had worked had been much broader than the schools. Nearly all had aimed to educate the community to the larger aims of education through lectures and discussion. Much attention had been given to inculcating good citizenship. Vacation schools for backward children had been treated. Parents' leagues had been formed, and mothers' meetings were reported. Attention had been given to the subject of self-government in the schools as well as to affiliated organizations conducted by young people. School playgrounds and school decoration had received attention. Boys' clubs and the claims of the domestic arts in the school were reported.

The work undertaken by a single society — namely, that of Brookline — during the past two years will give a better idea of the scope of this work. The child-study committee has regularly held mothers' meetings, and has sustained a boys' club in a section of the town where it is most needed. The lecture committee co-

operated with others in conducting excellent courses of lectures. The art committee has been the means of securing for the schools a considerable number of gifts, prints, drawings, and photographs. The music committee has provided organ recitals, summer open-air concerts, half-hours of music in the schools, and for one year sustained a people's singing class. The science committee gathered valuable household statistics relating to the ordinary expense of home-keeping, and with funds provided by a lecture on liquid air secured reference books and valuable photographs. The committee on physical training investigated and reported on rules for good health, gathered interesting statistics concerning recess and swimming, and conducted a physical examination of a large number of children. The hygienic conditions of the school-rooms of the town had also been investigated. The school library committee succeeded in inducing the town to establish a school reference-room in the public library at an expense of $5,000. The portfolio committee made collections of books, photographs, and prints, which have been properly grouped in portfolios, and prepared for use as illustrative material in the schools.

One distinctive feature of this society is that its membership has included people from all the churches of the town, and the clergymen have been among the most active members. After five years of discussion and effort such as has been indicated, it may safely be affirmed that there is a much heartier spirit of co-operation on the part of the various forces of the town than could otherwise have been possible.

This, then, is a movement, now fairly under way in this country, which promises much for the cause of education. I venture to state that in more than a hundred communities there is now existing the germ, more or less developed, of such an organization as I have described. It matters not what the name is, provided the purpose is sound.

To have education esteemed and respected, to have the leaders lead, to invoke the best citizenship in a high order of social service which shall strengthen the higher life of young and old,— this is the object for which this paper has been written; and for the furtherance of these ends the aid and support of earnest people are solicited.

At the close of the morning session of the Department of Education and Art the following debate ensued: —

Dr. ELMER LEE. — This seems to be a fit opportunity to say a word more about alcohol. When alcohol is taken into the stomach, what happens? It is decomposed into carbonic acid gas and water. Every chemical change induces heat. Alcohol, then, is primarily a heat-producer; and carbonic acid gas is a nerve-destroyer. It seems to me to be unnecessary to advocate the food properties of alcohol. I am perfectly willing to admit that a little of it is pleasing to the taste and stimulating to the sensibilities, and it quickens the brain; but you might as well try to argue that mustard is a food, or that salt is a food, or that pepper is a food, or that a hundred other chemical agencies and elements are food. If alcohol is a food, it is a food only in such a very insignificant and slight manner that it is almost trivial and foolish to talk about it in the presence of the genuine food-stuffs, the organized, natural food-stuffs. Alcohol is not an organized food: it is but the result of fermentation and distillation. Now, then, what is carbonic gas? It is the rankest, one of the most deadly of poisons in the world, so far as human life is concerned. It is the dangerous element that is all the time bringing us down, and is sure finally to destroy man and seal his doom. Water is a constituent, but so small as to be unimportant. It is much safer to drink a dipperful of water than a draught of liquor.

We must recognize that alcoholic drinking is universal; that it is a habit which society cannot well get rid of, even if it so wished. From a scientific standpoint, we insist that it is extremely harmful. Men will drink it; and the doctor should say to his patient: "If you wish to drink it, drink it either as a pleasure or a beverage, but drink it with the knowledge of the fact that it is not good for your body. Drink, if you want it. Do what you want to do; but, forewarned, take the consequences, and take them intelligently and understandingly." Let each one do as he pleases about eating and drinking; but do not shut the eyes to the facts, nor accept alcohol upon the basis that it is a food, even from so splendid a teacher and chemist as Professor Atwater. What kind of a food is it compared with a few spoonfuls of oatmeal or cracked wheat? It is so extremely unimportant as a food that it seems to me to be far-fetched to consider it upon that basis. Why should we put into our stomachs that substance which is decomposed into carbonic acid gas,— a gas dangerous to life?

There is one more point. Alcohol never goes into the veins or into the tissue of the body as such. There is no alcohol in the veins of a man who drinks even to excess; but there are injurious products of alcohol. Alcohol is taken into the stomach, is decomposed, and from the noxious secondary effects the tissues of the vital organs become chronically poisoned and diseased.

The CHAIRMAN (Dr. Anderson). — The attention of this department was called to school text-books and to what they have to say upon the subject. I want to say that our attention was called to Professor Atwater, not so much by the criticisms passed upon him by his brethren as by the report of the ex-

periments he was conducting at the laboratory in Wesleyan University. I have read a detailed account of the experiments, written by Professor Atwater himself, and it seems to me they establish conclusively the position he has taken. Of course, I cannot speak as a physician, as Dr. Lee does; but, so far as I could judge from a careful reading of Professor Atwater's statement, the experiments he is making from day to day in the laboratory at Middletown go to prove conclusively that alcohol is a food in the scientific sense of the word. His experiments are elaborate: they are conducted with great minuteness. An individual is set apart for a certain length of time, and placed under such conditions that the amount of muscular force developed by the taking of alcohol into the system, and its absorption by the system, is carefully measured; and, according to the measurement, which, as made by a scientific man, I must recognize as legitimate and correct, the experiment proves that alcohol is a food somewhat in the same way that bread is a food, and that its effect upon the system is very different from the effect of water. Professor Atwater, unfortunately, is absent, and therefore cannot defend himself; but I wish his whole account of these experiments might be laid before this audience.

Dr. ELMER LEE.— Alcohol can be found by experiment in the laboratory to be a food, under the head of a scientific curiosity. It can also be established that alcohol is an irritant. Now any irritant will temporarily produce friction, and any friction will temporarily produce exalted action, and exalted action will temporarily augment the forces of the human body. But, if you want to observe experiments which have been carried over a much longer period upon the bodies of human beings, look at the effects of alcohol upon your neighbors, upon your friends, upon the members of your own family, to say nothing about the loafers and the bums that linger around the saloon.

The CHAIRMAN.— Dr. Lee's remarks cover the same ground as that part of the paper which relates to abstinence. Professor Atwater lays great stress upon the moral side of the question and upon the danger of what is ordinarily called moderate drinking, so that there is no occasion, perhaps, to refer to the remarks as an offset to the claim that Professor Atwater has made.

Dr. W. H. DALY, Pittsburg, Pa.— With reference to the question of negro education, debated by President Warner at the opening session of the Association, and as a friend of the negro, my interested personal observation has been rather varied and much extended, and has formed my opinion rather strongly that a great wrong has been done the negro by his misguided friends in the ill attempts made to impart a mere book or common-school education to the race. A merchant does not require to know Latin to enable him to be reliable and sell a pair of shoes intelligently. A farm hand does not need to be educated in fractions to enable him to plough a straight furrow, or do an honest day's work, or keep himself physically and morally clean. The zealous but misguided friends of negro education have had only one idea; namely, to teach the negro not only the common, but the higher branches of book learning. This has not increased the habits of thrift and industry in the race, quite the contrary. It has set an aim for the negro that he has followed at the expense of losing his grasp upon the social industries of life, that go farther to make up the well-being of communities and races than mere book learning.

The negro race must be frugal, moral, and dependable, and labor for their own welfare. They have been introduced to the higher education without the natural evolution upon which such an education can only be useful to the individual or the community. If the fields are left untilled, what is the sort of foundation that the negro education is to rest upon? They can't all be preachers, professors, and teachers, while the weeds grow in their untilled neighboring fertile fields. They cannot merit respect, nor can they be respected, if they will continue to be undependable and thriftless. The white farmer tills his fields and earns money to educate his sons and daughters. Why can't the negro be taught to first be industrious and moral? Why can't he be taught to first learn to possess stability of character, and then turn to book learning?

I have seen the young colored mother returning at evening across the weed-grown fields from school, and receive the greetings of three or more of her ragged children born out of wedlock. Their education should be on a broader and more practical plane, and begun at the bottom, if it is eventually to benefit them. In Pennsylvania many young negro men (and not very respectable ones, either) aspire to wed white wives. And they seem to be getting them, in some measure, and to be ill-treating them afterwards.

The whole question is one that needs wise heads and better judgment than has yet been shown to any extent. In fact, this racial question will sooner or later prove one that will cause us to realize we have not done the best that the question demanded for the negro. But there is yet time to deal with it in a more common-sense manner, which I hope will be done.

Now a word as to the discussion of alcohol, which is also now in order. I am under the impression that those good people who have been so long fighting the evil effects of alcohol have made the mistake of trying to detract from alcohol some virtues that it really possesses. The abuse of a good thing should not be used as an argument against it, but rather the argument should be used against the abuser of the good thing. After all, there have been more people who have dug their graves with their teeth, so to speak, than have found them through drink, The glutton goes free and respected too often, when even the moderate user of spirits is frowned upon.

There is another mistake the total abstinence people make, and that is in fighting the food qualities of alcohol. They say it is not a food. Yet it is, nevertheless, a food, if taken moderately and properly. Yet it is true that a man is liable to get blind-drunk, if he attempts to make a full meal on it; but there again comes the abuse, and not the proper use of the article in question. In the middle-aged and aged it is, when taken properly, at times a restful measure. It is a tissue builder, a conserver of the vital forces, and an aid to digestion.

The best judges of the proper use or abuse of alcohol are medical men, who carefully note causes and effect. I would rather have personally observed facts than whole tomes of theories. In youth alcohol is of no benefit: it is harmful. In the aged it is a blessing, if used properly. Some one has said, "A man is a fool who drinks before he is fifty, and a blank fool who does not do so moderately thereafter." Whiskey should be taken by the aged when

overcome with fatigue and before taking food, as a tired man has a tired stomach; and a small portion of stimulant will lift up the vitality and make good digestion possible.

These remarks may not please; but they are sound and practical, nevertheless, and well worth your thought and consideration,— the more so as they come from a physician who has always been temperate and usually an abstainer, but not a total abstainer when good judgment seemed to warrant moderate indulgence in what is a very good thing when used properly and not abused.

Mrs. ORRA LANGHORNE, of Lynchburg, Va.— It is perfectly true that the industrial education of the negro is needed and ought to be encouraged all the time. A very bad state of things has resulted from the lack of the industrial education which the old people had, and yet some good things have resulted from the system adopted. I believe it can be shown that, of the terrible crimes of which the negroes commit so many, none have been committed by the people who have had the advantages of education. We can show that none of the men who have been to the schools and colleges have gone into the terrible riots and disturbances, and out of 800 graduates from the Hampton School only 2 have ever been arrested for breaking the laws. That shows what the people who have had a fair chance are doing. The trouble is that a great many people are not familiar with the conditions surrounding the negroes. There have been mistakes from the want of knowledge by the Northern people on the one side and the Southern people on the other; and the great thing is to bring the people of the two sections together into a harmonious consideration of the subject. General Armstrong knew what he was talking about when he said that the Southern man knows the negro as he is, and the Northern man knows him as he may be. Now those who do not live among the negroes cannot realize the difficulties with which they have to contend. There are distinct classes among the negroes. To think them all alike is a great mistake. Very few white people in this country realize that there is a class of good colored people. If we could actually compare the negroes of that class with the white people that are nearest to them, we would see that the negroes have made more advance than the white people of the same class. I have always been surrounded by negroes, and I have had business relations with them. I have several small houses in Lynchburg. My husband was the first person to build houses there to rent to negroes. One negro family has been renting from me for nearly thirty years. One of these negroes is a caterer for the whole neighborhood. In the last thirty years more than fifty families of negroes have rented my houses, and I have had a good many white families in these small houses that have not been as good tenants as the negroes. Some of my negro tenants have saved money and have bought property for themselves, and they have stores and houses to rent; while the same class of whites have done nothing of that sort. It is the want of education and training that has done harm to the negro. Schools and libraries do not come in the way of the majority of the negroes. Unhappily, like Topsy, "they wasn't born, they grow'd."

At the opening of the evening session of the Department of Education and Art the Chairman, Rev. Joseph Anderson, D.D., spoke as follows: —

Ladies and Gentlemen,— A few years ago the department which I represent was extended by including in it not only education, but art. The field added was so large as to forbid our dealing with it very thoroughly. The new subject, indeed, is sufficiently large to constitute a department by itself. Under the circumstances, a kind of compromise seemed desirable; and you may have observed that during the last two or three years quite a little has been said at our meetings on the educational relations of art or the relations of art to education. One of the papers read this morning — that by Professor Raymond — referred in its title to the bearings of art upon education; and the paper or lecture to which we are now about to listen is on "The Æsthetic Factor in Education."

A year or two ago, at the request of one of the Vice-Presidents of our society, I referred to another matter which belongs, I think, to our department; namely, "the prevention of the disfigurement of nature, and the preservation of what is rare and beautiful in the natural world." Mr. Edward T. Potter, of Newport, to whom I refer, is greatly interested in this subject, and has brought it to my attention, as chairman of the department, in a brief letter which I will read to you. I offer it the more readily because it establishes a sort of connection between past and present. It shows that the little things we do in this Association are sometimes fruitful when we do not expect it. Mr. Potter sends me a copy of the circular of the Society for the Preservation of Scenic and Historical Places and Objects; and he writes as follows: —

Dear Sir,— In a few days you will receive a letter from the secretary of the society whose circular I enclose, asking advice from you as to the best persons in your State and elsewhere to form affiliated societies or even non-paying aids to advance the objects named,— the saving of the rare, beautiful, interesting or exceptional in nature, etc. Mr. Arthur Reed Kimball, of your city, has been writing in the *Outlook* and the New York *Evening Post* on the subject; and we have talked much on these matters. Your speaking on them at Saratoga in 1898, and your putting me in communication with Mr. Kimball, have borne fruit, the former in aid of saving the Palisades of the Hudson, and the latter in the offer of the president of the above-mentioned society to

distribute all matter which those interested in the subject in other States may send them, at least for the present. In the multiplication of societies and the expense involved in membership this seems to me an advantage. There also seems to be an advantage in the fact that the New York society is officered by and has membership chiefly among those understood to be solidly conservative.

After writing the above, I could not refrain from beginning a memorandum of crying needs. I venture to enclose it, incomplete (as such a list, however elaborate, would be) and crude, trusting you will pardon it and its form.

MEMORANDUM.

I. Wanted,— Information: (1) of the giant Sequoias, their number, locality, relative heights, who owns them, and on what tenure, the chances of their being preserved, legally and actually (for there is a difference); (2) fine rocks, their whereabouts, their heights (in a general way), etc.

II. Wanted,— Aid in preservation of: (1) birds of paradise: their annihilation seems the most to be feared in the near future, as no other creature has the exquisite plumage which they have; (2) humming-birds; (3) giraffes. These beautiful, innocent, and by far the least commonplace in form of existing animals are threatened with immediate extinction, as they do not thrive or perhaps breed in captivity, like lions and tigers; (4) rare insects; butterflies, etc.

Let me say, in conclusion, that I want an active and efficient pressure put on our Commissioner of Education, Dr. Harris, who, from his office in Washington could exert an influence over teachers throughout the United States, which, as soon as applied, would create an interest in the oncoming generation of American voters in the saving of their heritage in Nature, likely otherwise to be speedily lost to them. I also want pressure put on the President of our Association, Mr. Warner, so that he will publicly declare himself on this subject, however briefly; for such a declaration, I am sure, would have a helpful effect on nature-saving, wherever his name is known or his books are read or spoken of. Very truly yours,

EDWARD T. POTTER.

In this connection I will refer to the fact that in the State of Connecticut, "Arbor Day," which was celebrated last week, has become also "Bird Day." The governor's proclamation in regard to it this year called attention, not only to the importance of preserving the forests and planting new forests and shade-trees wherever they may be of use, but also to the duty of protecting the birds and teaching our children to treat them in the right way, not alone for their utility, but for their music and the beauty of their plumage.

Mr. Dutton this morning referred to the people as possessing certain tendencies, instincts, and aptitudes which may be consid-

ered among the "educational resources" of the community. I think the tendencies, instincts, and aptitudes referred to in this letter of Mr. Potter's are of great value, and prepare the way for a more positive, a more important work in this direction than has yet been accomplished. We ought all to congratulate ourselves upon the prospect, for instance, of preserving the Palisades of the Hudson, and also upon the fact that the rights of the birds, as well as the value of the forests, are being recognized, and that the people are being educated away from Vandalism toward what lies in the opposite direction.

The Chairman then introduced Professor E. H. Sneath, Ph.D., of Yale University, as the lecturer of the evening, who took for his subject "The Æsthetic Factor in Education." Professor Sneath's paper is, at his request, withheld from publication. The comments and friendly criticisms which it called forth were as follows: —

Dr. E. M. GALLAUDET.— I beg leave to express my very great appreciation of the highly interesting and instructive paper we have heard this evening. I am sure I speak for all who listened to it when I say that the importance of the subject commends it to every thoughtful mind, and that the manner in which it has been placed before us this evening certainly wins our hearty applause.

When, more than thirty years ago, the curriculum of the College for Deaf-mutes was laid out, the Science of Beauty was given a place in the course of studies; and it has been my privilege and pleasure during all these years to take each of the more advanced classes in that college through a somewhat extended course in æsthetics as a science. I should like to state, as an interesting fact, that the results of such instruction given to intelligent classes of deaf-mutes have been most gratifying. I have noticed from year to year the greatest interest manifested in the study of æsthetics as a science by the deaf-mutes under my charge. I can go further, and say that in more than a few instances I have known the pursuit of this study to result in the taking up of art as a profession by deaf-mutes who have been under my instruction. A number of them have become successful artists, and some have risen to distinction. I recall two of them just now who did not even develop artistic talent until they came to study beauty as a science, but who were then so impressed with the influence of the beautiful and the desire to cultivate it that they have developed into artists of distinction. Only last week I had the great pleasure of visiting the studio of one of these young men who has lately returned from ten years' study of art in Europe, and has opened a studio in New York,— a young man deaf and dumb, who has so risen as an artist that he is able to exhibit his pictures in New York and Paris.

I speak thus briefly of the results of the instruction of young people in the science of beauty. I deem it to be wholesome, elevating, and tending to a higher development of character, of morals, and of religion.

The Secretary of the Department, Mr. DUTTON.— I had the privilege more than a year ago of visiting in Columbus, Ohio, an institution for feeble-minded children. I met there a gentleman of large experience, one of the most studious along that line in this country, who told me they had discovered by long experience there that the æsthetic element was something they could appeal to almost before anything else. They have a great deal of music and dancing there; and, when I heard an orchestra of some thirty of their students playing all kinds of instruments and producing delightful music, I felt that in that institution they were certainly complying with a natural law in teaching the inmates in this way, and would thereby secure the greatest possible good for them. I am sure that music and pictures and other objects of beauty produce a good influence upon such children,— an influence which is felt, which is seen, which enters into their life, and will be something more than a mere passing impression. This influence coming from music and art in the schools will be a part of the nutrition of those children, not something separate from their real and practical intellectual life. It will be a part of their serious education.

I wish to express the great pleasure I have had in listening to this address.

Professor G. L. RAYMOND, L.H.D., of Princeton.— I also want to express my great pleasure in hearing this address.

As regards the influence of the æsthetic upon the human mind, which ordinarily manifests so little interest in it, I want to give my testimony in addition to that of the gentlemen who have just spoken. I think the reason why the æsthetic enables us to appeal to those who appear to have little interest in anything intellectual is because we are able to interest them in something. I have known several young men in college who, although they had sufficient training to enter college, manifested no superiority in any direction for years after entering, but who, as soon as they became interested in something that had to do with art, began to take on an intellectual life that seemed impossible for them before. For many years I had charge of the classes in elocution and rhetoric in Princeton and Williams Colleges. And I have known men who seemed to have no ability at all, who were not able to write intelligently, who invariably spoke ungrammatically in public, even after I had corrected the grammatical errors in what they had written, but who subsequently filled leading pulpits in this country. Their whole intellectual nature seemed to awaken as soon as they became interested on their artistic side, first in elocution and then in rhetoric. It is remarkable how the awakening of artistic instincts, and the developing, in this way, of an interest in *something*, will bring an intellectual life to those who seem not to possess it originally at all.

It is quite discouraging to deal with our elders in this matter of æsthetics. I agree with the other speaker that we must begin with the children. The lack of the æsthetic sense in the adults of this country is something wonderful. If you will go the length of a block from here, you will find that they are about to erect a very expensive public building, which is to be given up to offices, on the corner of a block, whereas of course it ought to fill an entire block. It will have a frontage and general architectural design of such a character that it cannot possibly be enlarged, although it will be necessary in a few years, according to the plan adopted, to enlarge the department. And then it

will probably look very much as the National Museum does by the side of the Smithsonian Institute. It is a strange fact that a hundred years ago there was more æsthetic taste in Washington than there is to-day, as is proved by the plan for the streets of the city and for the erection of the Capitol. More was known of æsthetics by those who had control of that matter than is known now. It was once the law in Washington that buildings on the streets should be of a certain height only, which would have secured uniformity of sky-line. Now look at the Star Building on Pennsylvania Avenue, which is probably a representative of the present-day type. I do not know what is to become of our country, for it is almost impossible, in appealing to men who have charge of these things, to get them to see that there is any æsthetic demand that should be satisfied. It is very much the same with the other arts. If a man tries to suggest something with reference to painting or sculpture, the newspapers will fail to understand, or intentionally misrepresent what he says, simply because he differs from them in his views. One does not know where to turn except to the children.

Mr. DEAN.— I remember a curious experience I had not long ago in the house of a wealthy gentleman, an excellent man whose wife is an excellent woman. They have a large family of children. The central object of worship in that house was something hung on the wall, representing a hunting scene in England. It was handsomely framed, and I examined it closely. It was not an oil painting. It was not a water color. It was not a "chromo." The colors were very vivid, and I had the curiosity to ask the hostess what it was. The children were unstinted in their admiration of it, and they expected me to worship it as they did. It proved to be a worsted pattern which this lady had bought, and admired for its gaudy coloring. That was the ideal of art in that family.

III. DEPARTMENT OF SOCIAL ECONOMY AND FINANCE.

I. SOCIAL CHANGES IN THE UNITED STATES IN THE HALF-CENTURY, 1850–1900.

OPENING ADDRESS OF THE CHAIRMAN, F. B. SANBORN, OF CONCORD, MASS.

[Read Thursday morning, May 10.]

Ladies and Gentlemen,— Artificial and arbitrary as our divisions of ever-flowing Time must be, they are still convenient as standpoints from which to review the brief past, and look forward to the still briefer future that men of my age have witnessed or may yet behold on earth. A year, a decade, or a century, in the comparison of the uncounted ages of human life on this small planet, are but as a day and hour, or the fleeting moment in which these words are framed and heard. Human life, truly considered, is what Shakespeare called true love,—

> Swift as a shadow, short as any dream,
> Brief as the lightning in the collied night,
> That in a spleen unfolds both heaven and earth,—
> And, ere a man hath power to say,— Behold!
> The jaws of darkness do devour it up.

Yet even a shadow hath dimensions, and every dream many parts. Even so this shadowy century, closing upon us in a bad dream of fruitless wars and endless labors, may be divided in two, and spoken of as if its flitting years had been as long, each one of them, as the days of childhood and the unwearied thoughts of youth. And we are here to divide it in two, and show, in passing comment, how much has come and gone in the past fifty years. It is something more than forty-three years since I first saw this pleasant city of Washington, fifty-seven years since I rambled through the Boston of Webster and Channing, fifty-four years since I first beheld with these wondering eyes a P. U. S., as John

Quincy Adams in his Diary calls the temporary inmate of yonder White House. I have therefore some right to remember the situation in which our Republic was in 1850, especially as I began to read the Congressional debates sixty years ago, and lost a bet, — not a large one — on the election of the first President Harrison in 1840. However, I have not come to Newcastle with a cargo of coals, and shall not have much to say to you of Presidents or Congresses, — with which potentialities you must be more familiar than I have ever been or am now threatened with being. An old English radical, who lived to see the head of Charles I. come off, said, —

> There lives on earth a far auguster thing
> (Veiled though it be) than Parliament or King.

He meant — or he should have meant, this old Puritan George Wither — that secular consciousness of mankind, inspired from Heaven, which leads from one frame of government and form of religion to another; which dwells not in houses or temples made with hands, but has for its abode the ever-advancing thought of the race, of which the aim is divine and the form evolution.

> Silent rushes the swift Lord
> Through ruined systems, still restored;
> Broadsowing, bleak and void to bless,
> Plants with worlds the wilderness;
> House and tenant go to ground,
> Lost in God, in Godhead found.

In this manner of thinking we may regard the changes of a half-century, or of ten centuries, with regret, if we choose; but the future has thus far been found, on the whole, better than the past. So that, on the ground of experience alone, we are justified in holding that our descendants will inherit more than we enjoyed, — provided they and we are true to the spirit which guides the alternation and vicissitude of this changing world.

If it had been intended that anything on this earth should be final, that blessed state in the Paradise of Adam could not have been overthrown by any number of serpents. If the Flood had a purely destructive, and not a cleansing purpose, our puny tracts of land in oceans of water would never have emerged, and the Ark would have been as useless for human preservation as for rapid transit. Yet Noah did preserve something useful from the antediluvian drowning; and so may we from the once prevalent but now vanished institutions of the first half of this dying century.

Broadly speaking, the last half-century has been the era of machinery and combination. True, the great inventions of the steam-engine and the spinning-jenny were of the eighteenth century; and that blind Samson, Electricity, whose secrets of strength the Dalilahs of science are ever pressing to find out, was led into our century from the guardianship of Dr. Franklin. But the general applications of these discoveries, and of the revelations made by the modern science of Chemistry, were largely the work everywhere, and peculiarly so in this country, of the practical energy of the years since 1850. The sewing-machine, the reaper and mower, the electric telegraph and telephone, the electric motor and heater and lighter, the combination of giant power and feminine delicacy of touch in the factory machinery, the metallurgy, the printing-press, and every form of human triumph over the brute resistance or unwilling co-operation of natural forces,— these have been mainly the achievement of the last fifty years. They have wrought changes such as no former period of thrice its length has ever seen: they have brought the ends of the earth into close communication with each other, and they have left few of the ancient mysteries of geography to be explored. They have simplified and vulgarized the problems of politics; little is left now, outside of Asia and Africa (if even there), of the "divinity that doth hedge a king"; the Lord's Anointed has ceased to draw on the oil-flask for his title to sovereignty; and the arcana of Parliamentary government have been opened to the competition of all bidders. Like all preceding ages, ours has been a period of transition; but the transitions have been swifter than ever before, and their speed has increased, is increasing, and ought to be diminished,— as the whigs of Burke's best days said of the king's influence in England. The man who guides the rotations of the great wheels should not himself revolve with them: stability of mind, in the midst of outward revolution, is the mark of the highest human powers; but we seem to be losing it in the whirl and rush of material forces. Particularly is this true of Americans, whose political and social organization was based on the idea of change; and therefore has yielded more readily to the spirit within the wheels, which our fathers originally recognized, or placed there.

In our Southern States the greatest change which the half-century has begun, but not yet fully accomplished, is the change

of labor from a servile to a wage-earning basis: in the Northeastern States the corresponding change has been from the individual to the factory system of labor,— a displacement of industry which has lately been going on in the South also. As to the results of either change, it is yet too early to form a settled opinion. That they are beneficial to the laborer and to the employer at the South is declared by both classes; yet there are many attendant evils, which the introduction of factory systems may diminish, or increase. That the factory system — unavoidable, as all admit — is wholly beneficial at the North, cannot be maintained, though it is sometimes asserted. In England, which preceded us in the change, a recent writer, Allen Clarke, born in the factory town of Bolton, declares, with much array of history and statistics, that "the factory system is a curse."

In the picture which Clarke draws of his native town as it was before Crompton invented the spinning-mule, and Arkwright added his invention, we may see why he thus denounces the factory system; and what he says is in some degree true of many American factory towns:—

In 1770, Bolton was a fair hamlet of 5,000 people: it is now an ugly town of 120,000. It increased rapidly with the development of the factory system: in 1850 it had 60,000 people, and has since doubled its population. Modern Bolton is the direct outcome of the factory system. Its inhabitants know little of flowers and less of birds. Its children do not know the joy of the fields, the glory of the grass, the beauty of the trees: they think that land is only to build factories and houses upon; that, while it is doing nothing but grow vegetation, it is wasted. Briefly put, here is the indictment against the factory system: it is unhealthy, dangerous, bad for mind and morals, has an injurious effect on family life, unfits women for motherhood, curses the children, and is causing the people of Lancashire to deteriorate.

Nothing so sweeping in censure as this can be said of the American factory system, which, in its small beginnings, and for many years after, was the means of improving the material condition of the operatives, and advancing the civilization of New England, where chiefly I have observed its effect. In later years it has drawn to its growing centres myriads of foreign workers, of many races and much need of advancement; and to them, too, it has often brought much improvement in their outward con-

dition, and perhaps done no serious harm to their minds and morals. Of late years the tendency towards large combinations of industry and trade has caused the smaller factory towns of New England to lose their rank, and sometimes to cease from manufactures wholly. Meantime the large factory towns keep on increasing population, and often crowding it into unsuitable dwellings; while the rural towns are decaying, and there is a long list of "abandoned farms." Even in the close neighborhood of active and thriving manufactures, the price of farms and the standard of agriculture may be declining,—as I found, ten years ago, in one of the best rural regions of Connecticut.

This leads me to name another great material and social change, wrought by our railroad system. If the factory system concentrates and narrows human life in its busy centres, the railways have had just the opposite effect, of opening wider the avenues of life. We have become a travelling people, for long and for short distances, to an extent elsewhere unknown, I think; and certainly quite unknown to the Americans of 1850. Railways were then in their infancy; trains were few, lines were short and made poor connections, the rate of speed was slow, and the inducements to travel were comparatively few. Nowadays, in the thickly settled parts of the country, the railway, either steam or electric, is a necessity of the daily toiler. It carries him to his morning task, and returns him at night to his family. It conveys the child to his school, the woman to her shopping, the man of business to his office, and thousands to their visits and their pleasures. With many persons the railway life is as important and almost as long in hours as the quiet family life; and it is every year involving more persons in its daily round.

You may say, perhaps, that the changes produced by these two agencies, the factory and the railway, are not social changes at all; they simply affect the material existence for better or worse, but do not involve social changes. On the contrary, this is precisely what they do involve; and their effect (combining with the many other causes which operate at the same time) is to the formation of distinct and almost permanent social classes, between which there is little good understanding, and often sharp hostility. They do this by the facilities they offer for becoming swiftly and enormously rich; by the fact that combinations of capital, which these two systems more and more require, naturally produce com-

binations of labor, which become oppugnant to each other, and sometimes, in their obstinate warfare, prejudice the interests of the whole community. Then the effect of them, and of the whole development of machinery in the half-century, has been to bring women forward in the industrial pursuits other than domestic,— a fact which of itself necessitates much social change. The position and attitude of woman has become very different from what it was fifty years ago ; and this seems to be universal, though, of course, the women of Utah are not expected to outshine the women of Kansas, New York, and Washington in those fields where women have so distinguished themselves, from the writing of "Uncle Tom's Cabin" to the Virginian romances of Miss Johnston. It is a truism of old standing that women determine the social standards of their age: whatever changes them changes society.

In nothing, indeed, is the change since 1850 more noticeable than in the recognition accorded to women in the active and public duties of the community. The exceptional rule of the small Society of Friends, which allowed women to speak in public, and to have an equal share with men in the government of the Quaker church, has now become the general rule in many parts of the civilized world,—a change much promoted by the interesting and beneficent fact that England and the whole British Empire has been for two generations under the general supremacy of a Queen whose personal influence has been as marked for good as that of some former sovereigns was the contrary. To be governed by a woman has thus ceased to mean the sway of caprice and unregulated passion ; and to allow women a share in subordinate government, and public enlightenment, has followed as naturally as the conclusion of a syllogism follows the minor premise. Coincident with this social change, and closely connected with it, has been the great advance in philanthropic sentiment among the mass of mankind,—a change foreshadowed, indeed, by the activity of great philanthropists, like Howard, Franklin, and Dr. Howe, long before 1850, but which came to a focus in the achievements of Florence Nightingale and Dorothea Dix in the earlier years of the half-century we are now considering.

A reaction against this generous philanthropy has now set in, to be sure; and there are authors, both serious and comic, and many men in high place among the rulers of nations, who main-

tain the old Malthusian doctrine that mankind must be kept conveniently few in numbers by the checks of war, pestilence, and famine, all which beneficent agencies we see now active in Victoria's dominions, to the apparent delight of novelists and parsons, our week-day and our Sunday preachers of righteous selfishness and Anglo-Saxon "civilization." It is a painful but a very transient eddy in the ocean of true civilization. The steady movement of the tides is against it.

Jefferson, at whose generalizations it is now the fashion for small souls to sneer, and for blind guides to profess ignorance of their meaning, — Jefferson, I say, instructed our grandfathers that "the world is governed too much"; and Napoleon and the Holy Alliance gave striking illustrations of his text. Malthus, 100 years ago, insisted that the "world was peopled too much," and that England, with her 10,000,000 inhabitants, had reached the limit where starvation must come in to help the Divine Goodness in his management of human affairs. She now has 30,000,000, and they are farther removed from starvation than in 1800. My own little scrap of New England, Massachusetts, has a density of population of 350 to the square mile, or almost thrice as many as England had when Malthus raised his fallacious warning. When John Winthrop was emigrating to unpeopled Massachusetts, 275 years ago, he found England, with hardly more than 5,000,000 people, as much pestered as Malthus thought her 160 years later; and thus he wrote of her:—

> This land grows weary of her inhabitants, so as man, who is the most precious of all creatures, is here more vile and base than the earth we tread upon, and of less price among us than a horse or a sheep. Many of our people perish for want of sustenance and employment; many others live miserably, and not to the honor of so bountiful a housekeeper as the Lord of Heaven and Earth is, through the scarcity of the fruits of the earth. I must tell you that our dear Mother finds her family so overcharged that she hath been forced to deny harbor to her own children.

Massachusetts, then, did not derive her present prosperity from inheritance; nor did she gather it up from her sands and rocks, nor even fish it up from the seas that wash away her coast. She accumulated it slowly by the energy and skill of the men and women who made the most of such advantages as she had, and invented other advantages when these began to fail. It was a

Massachusetts man who helped Jefferson formulate our Declaration of Independence, now so much outgrown, we are told from yonder Capitol; it was the same Franklin who

Eripuit coelo fulmen sceptrumque tyrannis,—

"wrenched from heaven the lightning, and the sceptre from kings"; it was another Massachusetts man who invented the electric telegraph; and, when Graham Bell invented the telephone, he came to Boston to do it.

For you can teach
The lightning speech,
And round the globe your voices reach.

What is the voice of Massachusetts and America which rings loudest round the globe? Not the thunder of naval guns, sinking wooden ships; not the rattle of the Maxim and the Gatling artillery, strewing the land with its dead defenders: no, it is the voice which proclaimed liberty to white, black, and brown men; which bade the Greek, the Mexican, the Hungarian, the Cuban, struggling for independence against odds, to take courage by our example. It is the utterance of public munificence, schooling the ignorant, clothing the naked, housing the homeless, giving eyes to the blind, feet to the lame, voice to the dumb. That was in the past: have the changes of half a century stifled that voice, paralyzed that helping hand? Are we ready to repeat the imprecation of the Oriental patriarch?

If I have withheld the poor from their desire, or have caused the eyes of the widow to fail; if I have eaten my morsel myself alone, and the fatherless have not eaten thereof; if I have seen any perish for want of clothing, or any poor without shelter; if the land cry against me,— if I have eaten the fruits thereof without payment, or have caused the owners to lose their living,— let thistles grow instead of wheat, and cockles instead of barley.

I trust we are not yet ready to take the consequences of national unrighteousness, nor to deserve them. But human unreason, of the most glaring kind, is no new thing in the world. It did not come in with our half-century. There always have been fools; and, by the dispensation of Heaven, there are always likely to be. George Washington, in his anxious old age, when he saw Europe tossing in the waves of the French Revolution, said, "Perhaps we

have thought too well of human nature." We, perhaps, have rated too high the cleansing power of our free winds to disperse the malarial poison generated in lands of older and more anti-social institutions than our own. We may have overestimated the effect of free institutions in preventing gross inequalities of fortune, such as the last fifty years have seen developed among us. The multi-millionaire — soon to be the billionaire — is one of the social products of the last half-century. This is the wrong side of our social changes. He gives us a bad name in Europe, getting in return bad husbands for his heiresses from there. Every year since the Civil War the American millionaire becomes more prominent, endows more colleges, sails more yachts, owns more newspapers, "corners" more beef and lard, refines more sugar and oil, figures at more weddings and divorces, and puts himself more forward as the chief promoter of modern civilization.

What, then, shall Social Economy do with the American millionaire? It is related that a young lady of Boston, now an old lady in Paris, reading the English reviews to Dr. Channing sixty years ago, came one morning upon an article setting forth the position and iniquities of the titled millionaires of Great Britain. When it was ended, the good old divine threw himself back in his easy-chair, and sighed out, "O Miss Shaw, what *shall* we do with the British aristocracy?" Our position to-day may be as powerless towards accumulating and aggravating millions as that of the great Boston preacher towards Lady Ellenborough and the Marquis of Hertford. Yet a few considerations, far from novel even in this Association, may here be urged.

Privileges in ethics always imply obligations. The old maxim, *Noblesse oblige*, speaks a profound truth,— none the less to be regarded now, when all *noblesse* is coming to be that conferred by great wealth,— at least, in the general estimation. Never did any country or time offer such opportunities for gathering immense riches as our own land, in this closing half-century. Bunyan's allegorical "man with the muck-rake" has it all his own way, here and now: he can make his "pile" as huge as death and railroad wrecking or consolidation will allow. He may even disregard death and Sir William Harcourt, and through trusts hand down his dollars to plague his descendants, as the European millionaire has for centuries done, through that blessed order of primogeniture, which Dr. Johnson praised, as making

but one fool in a family. In such a period and State as this, it is idle to say that any rich man has a right to do what he pleases with his own property. The nation, which alone gave him the means of amassing riches, silently insists that he must recognize his obligations to the myriads of poor men through whose labor or by whose pillage — as in railroad management, too often — he has acquired vast possessions. This is the grievance of the American people against the late Mr. Pullman,— not that he was rich (which very few begrudged him), nor that he married his children to Serene Highnesses, but that he did not fulfil at home the duties that vast wealth imposes.

Against men of wealth as such the Americans have never been prejudiced, and it is hard to conceive that they ever will be; but they can and ought to demand that rich men do that duty voluntarily which poor men must of necessity. They remember, and are never likely to forget what they owe to one man of great wealth,— George Washington, the richest of his day in the colonies,— who, when the common rights of rich and poor were in danger, did not side with power nor sneak away to Europe to enjoy his wealth there, but put his whole fortune and his life in peril, and fought through a long war, without emolument or special privilege, rather than fail of the duty which, in his estimation, wealth imposes.

The benefactor who is remembered not only justly, but with effusive gratitude, is he who gives himself along with his benefaction; for mankind, unjust as they individually may be, yet have, collectively, the strongest sense of justice. Nor is it safe to disregard this instinctive sense of the just and the unjust in the mass of men. Wherever privilege intrenches itself, revolution may be expected; for civilization moves forward, not by even steps, but with ebb and flow, like the tides. To the barbarous and barbarizing riches of imperial Rome succeeded the genuine barbarian; to the luxurious idolatries and atheisms of Greece in the East, the devout barbarism of monasteries; upon the gold-laced brocade of the old régime in France was splashed the blood of the democratic guillotine. The proverbs of every nation bear witness to this compensating pendulum of retribution. "'Tis an ancient law of the gods," said the Greek tragedian,— "Doer must suffer." The Italian byword is, "The Lord does not pay every Saturday night." The English poet said,

'Tis vain to flee. The farther off we go,
The swing of Justice deals the heavier blow.

Whatever strength the hideous and blind revenges of Anarchy have gained in the popular mind is due to an inarticulate feeling that the world is out of joint, and things must be worse before they are better. Social Science counsels the powerful and the rich not to neglect such symptoms. In ages of petrified inequality it might be wise to perpetuate a milder injustice; but, where once the "sweet poison" of equality has been introduced, the only remedy for social evils would seem to be more equality. The outcry of wealthy Americans against an income tax has already defeated itself. The levelling English budget of Sir W. Harcourt, with its death duties imposed on the succession to large estates, has been very popular in Great Britain.

The beginning of the half-century now closing saw the revolutions of Europe from 1848 to 1850 put down or postponed; and one of the consequences of this compression of the popular movement was to send millions of the humbler people, with many of the leaders, to America as exiles or immigrants. In consequence of this our population became more than ever variegated with the races and hybrids of many lands, bringing with them their customs, languages, religions, and prejudices. To these were soon after added Asiatic races in smaller numbers; but the outbreak of civil war stopped the introduction of native Africans, which had been going on, more or less, in spite of laws and naval expeditions against the slave-trade. The extension of our republic to the Pacific just before 1850 brought more Indian tribes within our territory; and the abolition of slavery, with the development of philanthropy, already mentioned, caused a great expansion of our school system, so as to include millions of the African and aboriginal American people within the reach of education. It was a crime before 1860 to teach our colored brethren in more than half the country, where now the pupils of the two colored races are numbered by the million. Of all our social changes, this is obviously the greatest; and concerning it you will hear from a Virginian lady (Mrs. Langhorne), who will speak from long observation and much experience.

Next in importance has been the opening of that wide region west of the Mississippi and south of the Missouri to civilized occupation,— preceded and accompanied, as this transformation

was, by a period of civil discord, open warfare, and savage encounters with the aborigines. We had hoped for a paper on this subject by a very competent observer, Captain James H. Holmes, who has resided or travelled in that whole immense region, and had his share in the warfare; but he has not found it convenient to write out his valuable observations of the past 44 years, since he first campaigned with John Brown in Kansas, and along the border of Missouri. I will not, however, detain you with a summary of this wonderful metamorphosis of the desert and the bison into the granary and democratic nursery of the United States; although my own travels have taken me over much of the same ground. I will only remark that I go from this capital of the nation to the capital of one of those trans-Missouri States — Kansas — which I had some small share in founding and defending, and which now contains a million and a half of free, educated, and prosperous people, where fifty years ago there were not one hundred white inhabitants, and but a few thousand roving Indians,— but millions of buffaloes and wolves, now as extinct there as the dodo in the ocean islands of the East. And I go for the purpose of taking part in a National Conference of Charities, at which thirty States will be represented, and where the delegates — guests of Kansas — will discuss to intelligent audiences the latest results and the most improved methods of caring for the poor, the insane, the orphan, and the convict. This contrast between the two extremes of our half-century is at least suggestive.

By all this extension of our civilization, and this introduction of new elements of race and of culture,— together with the expansion of woman's sphere, already mentioned,— the training and domestic management of children has been greatly modified; favorably by the increased predominance of women in the elementary schools; unfavorably, in the Eastern and Northern States, by withdrawing women more and more from the home life. As for the women themselves and the men associated with them, in many States, the lessened dependence of one sex on the other in the marriage relation has deferred marriages and favored separations; has made the families in the middle classes, with respect to property, much smaller, and is beginning to have the same effect in the more laborious classes from a variety of causes. We are far, as yet, from the stagnant state of population which is seen

and lamented in France; but we are perhaps equally removed from that fecundity of increase which marked our colonial century and which still prevails in several European countries.

No doubt increased ease of living has taken the place of the early hardships in most sections of our land, and during the past fifty years in nearly all classes of people. Particularly is this true of the farming class in the North and West: what were rare luxuries in their families in 1850 are now become necessities. It is also true of our operatives and laborers generally, but for a different reason. They came to this country from lands of low wages and few conveniences for their class; and the greater wage-earning capacity here, while exposing them to many temptations, has, on the whole, much advanced their material condition beyond its grade in Europe or in Canada. Of late years this result is not so often seen. The sharp competition of recent times, and the high prices which our monetary and revenue systems have kept up, are reducing greatly the former advantages of the immigrant.

With this increased ease of living, and our enormous facilities for acquiring large wealth, our leisure classes have greatly multiplied, and the useful arts are no longer so exclusively cultivated here as they were in 1850; but we notice a hurtful as well as a wholesome leisure, especially among the young. It is not altogether beneficial to replace useful arts by useless ones. Frugality was never so striking a virtue of Americans as friend and foe have alike declared, and never was it so little practised among us as now. Power passes readily from lax or indolent hands to those hardened with toil and enriched by patient endeavor, and vast heaps of wealth cannot prevent it wholly. What the change has been in this respect, in Yankeeland proper,—that is, New England,—will be left for my remote but dear cousin, Mr. Edwin Sanborn, once of Hanover and Dartmouth College, like his illustrious kinsman, Daniel Webster, but now of New York, where the frugal households of the Standard Oil Company borrow and lend from each other, as we used to do in New Hampshire, when I was a boy.

2. SOCIAL CHANGES IN NEW ENGLAND IN THE PAST FIFTY YEARS.

BY EDWIN W. SANBORN, OF NEW YORK CITY.

[Read Thursday morning, May 10.]

Fifty years ago the new order of things had made little change in the outward appearance of New England. It was still a compact community, peopled for the most part by direct descendants of the old Puritan stock. It was a land of farmers, and the type of New England life was the country village. Commerce and fisheries were important sources of wealth; but merchants and seafaring men, as well as the minister, lawyer, doctor, and mechanic, generally owned a little land, and helped to make agriculture the prevailing occupation. Factories had been slowly taking the place of household industry, yet manners and way of living belonged to the homespun age. People continued to prepare, by the chastening of Fast Day, for the exuberance of May muster. The electric telegraph was a mysterious novelty. Stage-coaches still creaked and rattled over many routes of traffic. Railroad trains were drawn by small, asthmatic locomotives, having large smoke-stacks, shaped like an inverted volcano and pouring forth proportionate volumes of smoke. Delays were frequent, to slake the thirst of the engine and replenish the itinerant wood-pile which served as fuel. The cars had low, flat roofs and small, cinder-cemented windows, and were but little better ventilated than the drawing-room cars of the present day. The railroad system of New England has always been rich in "junctions," where, in the early days, the traveller awaited his "connecting train" for periods ranging from a fleeting hour to undetermined stretches of duration. It is a curious fact, noted by the late Professor Phelps in his poetic tribute to Essex Junction, that there was always a cemetery near, catering perhaps to such wayfarers as might sink under wasting afflictions or be suddenly stricken at the lunch counter. Beyond the reach of the railroads, wood and farm produce were carried to market by river boats and coasting

schooners, which brought back the "W. I. goods and groceries" of the country store. It was still the day of large families and small travel, of near-by markets and local peculiarities.

The smallness of travel applied only to landsmen, and not to the farmers who ploughed the deep. Coves and harbors along the coast were lively with Down-East punkies and clippers, and with the curing and storing of fish. Daniel Webster, trying a case on Cape Cod relating to a small harbor in the South Pacific, found that seven of the jury had often visited the harbor and knew all about it. The commander of a Russian exploring expedition, engaged in one of the early attempts to square the arctic circle, became lost in a fog as he was about to secure his fame by surveying the terminal facilities of the earth. When the fog lifted, he found himself in the midst of a Yankee fleet and near a harbor which was their regular base of supply for cruises to the northward. The wives and daughters of Nantucket climbed up to the "whale-walks" on their house-tops to watch for returning husbands and fathers. Bangor was the largest pine-distributing centre on the continent, and the lines of the Gloucester fishermen had gone out through all the earth. The New England of the Puritans had reached the height of its prosperity and the golden age of its literature. It was making ready for its day of trial and sacrifice in the Civil War.

About the middle of the century the rapid extension of railroads brought the "rocky farm" into contrast and competition with the "rich prairie." The Walker tariff of 1846 and the opening of new markets stimulated the building of large factories and hastened the "rush to the cities." The discovery of gold on the Pacific coast aggravated the Western fever, while famine and disturbances abroad were starting a migration across the Atlantic. The growth of shore fishing and the canning of sea-food were beginning to affect the deep-sea fisheries, when the reciprocity treaty of 1854 opened our markets to Canadian fishermen. The surviving monsters of the deep were seeking discreet seclusion just as the introduction of mineral oils rendered their pursuit less profitable.

If some supernatural observer could have taken a bird's-eye view of New England in 1850 and again in 1900, he would read the story of change in plain characters. Approaching New England, as would become a Superior Intelligence, by way of

Boston, he would find the region for some fifteen miles around the gilded dome on Beacon Hill so "filled in" as to form a continuous city with a million people, nearly half of them — figuring back for three generations — being Irish, about one-sixth "Old Americans," and the rest Germans, British, Scandinavians, Italians, Frenchmen, Chinamen, and citizens generally. Moving along the seacoast, his eye would be caught by the bleaching "whalers" labelled as curiosities at the New Bedford docks, by the villas and palaces at Newport, by the sagging wharves of Salem and Newburyport, and by huge hotels at every sandy beach from Narragansett to Old Orchard. In smaller harbors he might see a trim Yankee clipper lying idly in the mud at the head of the cove, while a splendid pleasure yacht rests at anchor within the point. An old weather-cured skipper, whose voice pierced the fogs of the Great Banks and rose above the blasts of the Horn, is perhaps taking out a party of land lubbers and lubberesses in his catboat to fish for scup or flat-fish. In river valleys the smoke of factory chimneys would draw attention to busy cities, wherever water power had fixed a site for manufacturing. In their suburbs he would mark the hard roads, with their maze of wires and buzz of trolleys and lines of thrifty dwellings. He would note that the forests had been thinned and shrinking back up the mountain ranges and toward the northern border. He would miss the flocks and herds which dotted the hill pastures, and would linger above the scrubby fields, tumble-down fences, and decaying houses of the abandoned farms. Less often he would come upon a deserted church, a ghastly hulk, weather-stained and crumbling, windows blind and glaring, ridge-pole sunken, lightning-rod loosened from the tottering steeple, and drooping like the bedraggled feather of a fallen outcast. In the streets of the cities he would be impressed by the large plate glass windows of the shops, with their display of attractions, and by the variety of fruit and produce offered for sale. He would be surprised at the large number of old and young wearing glasses, and would perhaps notice how rarely he met a person pitted with small-pox. He would wonder at the cleanliness of the street crossings, till he observed the trailing skirts of the ladies. In Fall River, with 85 per cent. of foreign population, he might inquire his way half a dozen times before meeting a person who spoke English.

Having left a New England of full-blooded Yankees, which

supplied its own wants and sent little abroad, he finds a population half foreign, dependent on others for its corn and grain and beef and mutton, but supplying half the nation with boots and shoes, making three-fourths of its cottons and using half its wool.

Early in the century, each farm, like the community, was self-sustaining, The "independent farmer" was indeed independent. Food and clothing are both grown on the farm. He made his own sleds, brooms, medicines, vinegar, soap, ox-yokes; sometimes his own tools, rope, shingles, boxes, barrels, and furniture. He drew sweetness from rock-maples and dipped light from tallow. He got his pins from the white-thorn bush in the pasture. He grafted trees and painted buildings. He would "like to see anything he couldn't do." The congenial practice of swapping helped him to be independent even of money. The home-spun idea was the key to everything in life and character. Clothing being made at home, the flax grown and the sheep raised corresponded to the number in the family. Little money was needed; and, there being little money and little knowledge of the outer world, there was small temptation to extravagance. Everything centred in the home. A hundred associations, now things of the past, solidified family life. A farmer setting out for church in his broadcloth coat might notice the very sheep whose greeting would remind him that he was wearing the wool at second hand. He would pass the fields where his straw hat and dinner basket had grown, and where the linen of his wife's go-to-meeting gown had blossomed. The leather of his boots had been grown and perhaps tanned on the farm. The striking of fire from a flint and drawing of water with a sweep were picturesque rites, a communion with the localized spirits of fire and water, which were cheapened as matches were carried in the pocket and pump handles bobbed in the kitchen.

The modern system of division of labor has brought the New England farmer many comforts and advantages, and mocks him with a vision of many more. Supplies and appliances better than were made at home are laid at his door, and many are wonderfully cheap. The Standard Oil Company has taken charge of candle-dipping. Factories at Lowell and Fall River maintain a continuous spinning-bee. The trouble is that they all want money. Before he thinks of buying comforts or luxuries, there are certain fixed charges to be met,— for taxes, labor, commer-

cial fertilizers, and groceries, with demand for tools, machinery, harnesses, wagons, and a hundred other things. In the scheme of specialization where comes in the specialty which is to bring the New England farmers their share of the medium of exchange? Those who have not emigrated have answered the question to some extent by leaving the rougher lands for market gardens, poultry, fruit, and dairy farms; but the result of changed conditions has been the disappearance of the agricultural New England of fifty years ago.

In the manufacturing towns which have become the centre of characteristic life, changes have been chiefly in the way of growth and expansion. Before 1850 factory work had been done by young people from the farms. In summer the factory bell aroused the town at half-past four in the morning for a day's labor of thirteen hours. Wages were low, but board could be had at $1.00 to $1.50 by the week. Native labor was soon displaced by foreign, the early immigration being Irish; and the Irish have been succeeded by the incursion of French Canadians, beginning twenty years later. At present these latest arrivals, in a solid body of half a million, compact in language and intact in religion, are testing the digestive powers of New England.

Manufacturing industry, along with its growth, has passed through a process of evolution. Many small local factories found themselves unable to compete with the resources of the larger centres, and have dropped out. The location of factory towns was fixed at first by water power, but of late the mills have become largely independent of water. The advantage of cheap transportation and the effect of competition have been shown in the concentration of cotton mills around Narragansett Bay and Buzzards Bay.

The church and school of Puritan New England have been differently affected by these fundamental changes. The division into sects had occurred in the first half of the century, the Baptists, Universalists, Methodists, Unitarians, etc., separating from the Congregational order and the Episcopalians and Presbyterians coming in. The breaking up was natural in a time of mental and spiritual ferment, though the causes affecting individuals were doubtless varied. In the case of Zephaniah Cross the going over to the Baptist communion was due to the Eastman auction. A bellows-top buggy was sacrificed at such figures that Mr. Cross

was constrained to bid it in. The lofty "bellus-top" would not turn back, and on arriving at his stall in the orthodox church sheds he found himself unable to drive under the roof. The horse sheds of the Baptist society were built upon more liberal lines, and after a season of earnest deliberation he became a convert to the doctrine of immersion.

In cities and thriving towns the problems of the churches are little different from those which are found under like conditions elsewhere. In the villages and hill country the division into sects has proved a serious disadvantage. Even country churches are more comfortable than fifty years ago. It was not much before 1850 that stoves were introduced. There are many traditions of the opposition with which this symbol of worldly luxury was received. In one church it had been finally decided to use stoves for the first time upon a certain Sunday. A strong opponent of the innovation had been but a short time in his pew before he found the heat insufferable. He first removed his overcoat and then his coat, only to learn that, owing to delays, no fire had as yet been started in the stoves. Stoves were generally placed in the rear of the church, on either side; and products of combustion were supposed to be carried through a long rambling stovepipe, suspended by wires under the galleries, to chimneys at either side of the pulpit. The intrusion of any secular concern upon the peace of the Sabbath jarred upon the senses. Pat Rogers from time immemorial had conducted a laundry at Hanover in the interest of Dartmouth students. He was a familiar figure trundling the "wash" to his laboratory or wheeling back the laundered residuum. On a quiet Sunday morning a conscientious student was shocked to see Mr. Rogers delivering a portion of his finished product. Patrick explained that it was a case of peculiar exigency.

"What will become of you if you thus desecrate the Sabbath?"

"I dunno, sor. I s'pose likely I'll fetch up at the baad place."

"Ah, but think of what that means! What will you do there?"

"Oh, begobs, I s'pose I'll gwan aboot the same as here,— wash for stoodents."

Education has no story of decay except in decreased attendance at rural schools and disappearance of many of the unendowed academies. The strength of the old district school was in the close relationship of teacher and pupils. The school like the home was full of local associations and individual char-

acter. The school-boy of fifty years ago remembers the noon-mark on the window-sill, the crack in the floor where classes toed the mark, the raspberry bush inciting to tardiness, and the birch provided in the compensation of nature as a corrective.

The learning of a few books "by heart" fostered exactness of knowledge, with freedom and accuracy in giving it expression. If written examinations had prevailed in those days, the scholars would have compared favorably with those of the present day in preciseness of definition and in ability to tell what they knew.

Children went barefoot in summer. In winter the boys wore home-made caps with flapping ear-laps, home-knit comforters, and copper-toed cowhide boots, periodically greased to exclude the elements. It is a strange but true story of the force of early habit that an honored and well-known scholar, sitting at a formal dinner and becoming abstracted during the brilliant monologue of another distinguished guest, was seen anointing his boots with the oil of the salad cruet.

After spinning-wheels and looms were carried to the attic, few families could afford to buy store clothes. They made up the cloth at home, allowing liberal margins to growing boys, some of whom never attained the full standard of their sleeves and trousers. Children in the old times were so numerous that like silver in the days of Solomon they were nothing accounted of. It is certainly a change to the present age when the child is father of the man, and of the grandparent and of the whole community. One sympathizes with the man mentioned by Mr. Emerson who felt it a misfortune to have been born when children were nothing and to have lived until men were nothing.

As late as 1850 all the colleges of New England were "seats of learning" of the old-fashioned sort. At the opening of the academic year the country colleges welcomed the candidate for matriculation mounted on a farm wagon, drawn by the horse which could be most easily spared from farm work, and bearing the blessing of his mother and the seed-cakes of his grandmother. Chapel exercises were held before daylight in midwinter, in chapels lighted by candles and heated by the Aurora Borealis. A chronic form of suicide, known as "boarding one's self," was not uncommon. The lack of amusements and of rational forms of exercise led to such laborious forms of pleasantry as gathering the blinds and gates of the village upon the campus or the elevation of a horse or cow to the college belfry.

Higher education has not merely become higher, but broader, — too broad, as old-fashioned people think, to be deep. Wealth has increased at the old centres of learning. Wisdom could not fail to accumulate when, as has been remarked, so much is brought in by successive classes of Freshmen and so little is carried away by Seniors.

The lyceum was another power in education which brought the Mahomets of New England to the mountains of New Hampshire, Vermont, and the Berkshires. Newspapers now bring a larger world to the same hill country, but without the personal magnetism and touch of enthusiasm inspired when Emerson, Holmes, and Phillips lectured in the meeting-house and college students boarded 'round in the school district. There was also an agreeable reaction on the minds and pockets of the lecturers. Dr. Chapin used to say that he valued the fame derived from lecturing, F-A-M-E standing for Fifty And My Expenses. Mr. James T. Fields having given one of his charming lectures in the missionary spirit in a small place, where no amount had been agreed upon, his charges were discussed with the Lecture Committee. "We had calkerlated," said the spokesman, "to make it five dollars; but it wa'n't exackly what we expected, and we have conclooded that tew fifty would be abaout right!"

The railroads and newspapers have also robbed the tavern of its importance as a social club. In the stage-coach days the tavern-keeper was a person of importance and dignity. He gathered news from travellers and hobnobbed with public men. Neighbors dropped in with gossip, which he was expected to broadcast. He was a combined bulletin board, club steward, Exchange, Board of Trade, and Associated Press. It is a tribute to the old New England tavern that a large proportion of the men who have made the reputation and managed the business of the great hotels of New York as well as in more distant cities served their apprenticeship in New England, and largely on main lines of stage traffic which ran from Boston up through New Hampshire. With the decrease of road travel taverns sank into a desuetude not wholly innocuous. In "wet" or semi-wet towns they became a "hang-out" for local sons of Belial. At arid cross-roads it became difficult to obtain nourishment except at stated times. An indulgent landlady might fry the wayfarer a few buckwheat cakes and a cup of tea, but eggs and meat were hard to find. The

bicycle has not done all that was expected as a reviving force; but the general reaction of city on country is slowly awakening the country hotel.

As educational forces and means of grace, we should not omit the maiden aunt, who in the big New England families was as much an institution as the New England conscience, which, indeed, she personified and guided in practical channels. As depicted in a sketch of the "New Hampshire Way of Life," by Mr. F. B. Sanborn, the work in the house "was done by the wife, daughters, and maiden aunts, who were apt to inherit a residence in the old house upon their father's death, and who were indispensable to the simple life of the rural community. Theodore Parker used to quote an aunt who said, 'Mr. Parker, the position of a maiden aunt is very important: without maiden aunts the world could not be peopled, sir!' There was more in this odd remark than met the ear. In the nursing and pupilage of New Hampshire children the aunt bore a great part. Besides nursing the sick, they were usually tenders of other women's babies and instructors of children as they grew older. Emerson's Aunt Mary bore the largest part in his education and that of his brilliant brothers. Being asked once what he should have done without her, he said: 'Ah! that would have been a loss! I could have better spared Greece and Rome!'"

To appreciate what the loss of Greece and Rome would have meant to our fathers and grandfathers, it is only necessary to take up the "occasional literature" of fifty years ago, entitled, perhaps, "An Historical Address upon the Opening of the Toll-bridge across the Onion River" or "Remarks upon Thanksgiving Day, suggested by the Protracted Drought." The subject matter would be found to consist largely of reflections suggested by ancient history and of moral deductions therefrom. The ordinary tone of writing was stilted and full of mild moralizing. For a chance example, in a magazine article of 1852, describing the wearing apparel of early New England, we note, after a description of the shoes of our forefathers, "While appendages for the feet are properly provided, true ornaments of the mind and heart should not be neglected."

In spite of ministers and schoolmasters and maiden aunts, and perhaps in protest against the strictness of their training, there has always been a streak of "queerness" running up

through the New England granite. The fathers were shrewd and practical; but, as Miss Gorren in a recent essay on the Anglo-Saxons well remarks: "Their close attention to the realities of life seems to unfit the mind for correct judgment in abstract things. Nowhere are so many persons of sound intelligence in all practical affairs so easily led to follow after crazy seers and seeresses. An active mind refuses to be shut out from the world of the highest abstractions; and, if not guided thither by regular training and habit, it will set off even at the tail of the first ragged street procession that passes."

It must be allowed that there has always been in the New England character a certain streak of superstition. The Yankee housewife was careful in observing signs, even to such trifling matters as the dropping of a dish-cloth or the overturning of salt. Farmers are still found who are guided in the planting of crops and the slaying of swine by phases of the moon. Since the day of witchcraft the force of superstition has been weakened; but as late as March of the present year the newspapers were reporting an enormous business transacted in the city of Boston in the advertisement and sale of so-called luck boxes,— small boxes containing a brass ring, supposed to emanate from India, but really manufactured at Lynn. They were sold at ninety-nine cents apiece, and were guaranteed to confer the favors of fortune. When the business of this good man was interrupted, there were said to have been more than twenty thousand letters in the post-office inscribed with his address.

Perhaps the characteristic New England humor derived its flavor from the same causes. Repressed intensity sought expression in a shrewd exaggeration which was made picturesque by habits of close observation. So of the oft-mentioned Connecticut man, who returned from a tour of Europe unwilling to admit that he had seen anything more remarkable than at home. "You say you went across Switzerland into Italy. You must have been impressed by those mighty mountains." "Wall, now you speak on't, I dew remember I might ha' passed over some risin' graound." A tourist inquires of a native sitting on the tavern porch at Colebrook, with face red from exposure to the elements (and also, it being Independence Day, to alcoholic stimulants), in regard to running certain rapids in the upper Connecticut in a canoe.

"Go over 'em in a canoe, why . . . . you couldn't go over them falls in a balloon." For a single illustration of the quaint, earthy, Yankeeish sayings, I refer again to "The New Hampshire Way of Life." An old carpenter named Herrick, full — as became his occupation — of wise saws, was at work shingling the Close barn. Deacon Close was an extremely small man, with an expression of worried importance, caused by a long search for the elusive penny among the rocks of the hill farm. His mental as well as physical powers had succumbed to the lapse of years. "Jeems" came up from the hay-field, and called out to Herrick, who was shingling the roof, "Mr. Herrick, have you seen anything of father lately?" "Oh, yes," was the cheerful answer, "I see the old cat cair him under the barn abaout half an hour ago." This, too, appeals to the mind by the vivid picture which it suggests. The humor in this exaggeration was sometimes unconscious. The antipathy of New England housekeepers to dirt is well known. Their life was such a wearisome contest with dust that they often prematurely resolved themselves into it. One of these housekeepers, expecting a visit from friends, by a special effort made her house spotless and speckless. She greets her visitors at the door with the hearty invitation, "Come right in, if you can — for the dirt."

The literature of New England was an outgrowth of the native characteristics of the people, of their homely philosophy and shrewd humor. It was the offspring of church and school, and was not without the usual characteristics of a minister's son. An interesting study of its relation to its stern parent is offered in Mr. Sidney George Fisher's "Men, Women, and Manners in Colonial Times." The expansion of literary life began late in the eighteenth century with the decline of the Puritan domination, with the relaxation of severity and the freeing of the individual judgment. Most of the great actors in the literary drama were descendants for many generations of New England ministers, whose minds were trained to shrewd investigation and close analysis. These literary men were all born between 1780 and 1827, the time of change from total repression to absolute freedom. They lived amid inspiring events, not unlike those of the Elizabethan era; a vast expansion in discovery and settlement toward the West; with the wars and rumors of wars of a heroic age. They were stimulated by the rising spirit of invention and

discovery. They produced a literature which was complete in poetry, romance, philosophy, history, and theology, as well as criticism. As was the case with the Jews and Greeks, and in England and France, it had its basis in the united feeling of a people having a distinct national character; and, in the opinion of this writer, its failure to continue was due to the material transformation of New England, which has broken up its continuity.

Coming now to the moral, which must be drawn in the old-fashioned way from these comparisons, we find it colored by individual bias. The elderly pessimist sighs for the simple, hearty enjoyments of the good old times; the neighborly running in to borrow a rising of yeast or a setting of eggs; the Sociable which came as a January thaw in the neighborhood winter; the blazing hearth, with pie closet and rum closet inviting consultation on either hand. He is heard to speak of the aping of empty gentility, of formal calls and stupid receptions, of vulgar display and snobbish extravagance. The student of sociology, developed under the new system, points out the barrenness and narrowness of the life of the fathers, its poverty and lack of color. He calls attention to the prim and clammy aristocracy which grew up wherever circumstances permitted, as in the cities from Boston to Portland. With the logic of results in his favor, he plans to force restored vitality upon the disheartened hill towns by University Extension and systematic lecturing. The old-school philosopher complains that the cut and-dried ward caucus is shutting off the open discussion of the town meeting. He says that the doctrine of foreordination has been transferred from religion to politics. Our opinions, like our wearing materials, come to us machine-made. He pictures the disgrace which would have overtaken a freeman who sold his blood-bought rights as a voter for pieces of silver. Now he knows of hundreds — The younger man interrupts merely to remark that the broader discussions which have come in with the modern press and a freer social life have rendered needless these endless powwows over the choice of a fence-viewer or culler of staves. Except for the occasional and uncertain opportunities offered by a fire or a funeral, the town meeting was the only occasion when our grandfathers could get together and talk things over.

It has to be admitted that the praise of old-fashioned social

life will hardly bear examination. The necessities of things had made the exaltation of "work" a sort of mechanical religion. Faces, even of the young, assumed a set, anxious, but determined expression. Their life was described by that long and dreary word "utilitarian." The farmer thought of the cloud-capped mountain as a convenient but unreliable barometer, and of the joyous cascade as a feature of the grist-mill. Economy was a fetich, and extravagance a sin. The good times which the young people managed to have stand out by contrast against the cold uniformity of the sombre background. The characteristic traits of the New England of fifty years ago were the natural outcome of such a life working upon such material,— versatility, "capableness," practical skill, shrewd common sense, with lapses into gullibility, close observation and quaint remark, earnestness, philosophic humor, craving for knowledge, ambition to "be something." They were close-mouthed and close-fisted, self-contained, and self-assertive. No other race of farmers "have had such acute intelligence, reverence for learning, and keen sense of the superior importance of spiritual things." For six generations they worked in their narrow training school, without realizing that they were victims of special hardship. But, when a broader life was offered, they lost no time in going out to preach the sermons, teach the schools, edit the journals, make the laws, build up the business, and take charge of the purses and principles of the whole nation.

Their lives of patient self-denial were not without a craving for brightness and beauty. It seldom went farther among the men than to express itself in neat dooryards and trim fences and in the stately trees which lined the streets of every village. Our grandmothers loved the scent of lilacs and syringa and the cheeriness of hollyhocks and tiger lilies. In the days when carpets, except rag rugs, were an unheard of luxury, Mrs. Rowe has told us that a good sister secured a large square of sail-cloth, and with a few crude colors painted upon this canvas rude patterns of familiar flowers, chiefly blue roses and green lilies, covering the whole with a thick coat of varnish. Everybody came to see, and wonder and admire, Deacon Close among them. Turning his honest, weather-beaten face earnestly upon the erring sister, he exclaimed, "Do you expect to have all this, Sister Meiggs — and heaven, too?"

The characteristic craving for knowledge included all things, great and small. It never overlooked the most trifling details of other people's affairs. Wendell Phillips is sometimes quoted as saying that the Puritan hell would be a place where every one had to mind his own business. A minister's wife, after a somewhat disturbed pastorate in a town in Eastern Massachusetts, described it as having the quiet of the grave — without its peace. Jerry Hatch has been consumed with curiosity for years in trying to determine whether the stones which glitter in the brooch worn by the Widow Stillings, as she makes her majestic progress into church, are the "ginooine" thing. The widow passes away suddenly and apoplectically. The brooch is understood, at her special direction to have been consigned with her to the casket, and no opportunity offered to "view the remains." Jerry's suspicions are confirmed; but he is overheard to remark gloomily, "I shan't find aout till the Day o' Judgment, and then there'll be so much goin' on that it's more'n likely I sh'll forget all abaout it."

The old and new are now so closely interwoven that they may be compared side by side in any corner of New England, as was brought to mind by a recent bicycle trip beyond the beaten path in Connecticut. We had been told that good accommodations could always be had at Poole's Corners; and Captain Poole was found hospitably disposed, but there was to be a dance in the hall over his store.

"You see," he explained, "we're goin' to hev a kind uv a social gatherin' to raise money for a new hearse. There's a room I s'pose you could have, but I've kinder promised it to the feller that plays the bull-fiddle. He's always a-tunin' of it up, and then they'll want to leave their hats and things there and be runnin' in and out till pretty late. You'd do better to go on to the Tuttle place,— Mrs Whipple Tuttle's. It may bother ye a shade to locate the place," continued the captain, observing the deepening shadows. "Tuttle's ruther a common name here, and so I may say is Whipple. Turn down there by John Bazro's shoe shop. Yes, that's his sign,— Jean Bergeron,— queer way of spellin' them Frenchmen have. Then keep a-bearin' to the left till you come to a big yeller house with a wind-wheel. You can't miss it. That ain't the place, but it's the John Henry Tuttle place; and there you leave John Hen's barn on the left, and go past Aunt Jim's, then by a red house,— John Tuttle's (Red House

John we call him),— and, lemme see, there's one other house to the right,— John Hen's John lives there now,— and right next is the widder's." At the foot of a long lane we found a man finishing some work in the dusk, of whom we inquired, "Is that Mrs. Tuttle's house up the lane?"

"Yes" (with an amiable grin). "Do they accommodate people with rooms and — er — something to eat?" "Yes."

"Do you think they can take care of us?" (With gratifying smile.) "Yes, yes."

We toiled up the lane to learn that it was a private retreat for the feeble-minded, and that no further applications would be received. "But your button-headed baboon at the foot of the lane said you entertained travellers."

"Oh, he's a Polock."

There was so much difficulty in finding Mrs. Tuttle's — with a light sprinkling of rain beginning to fall — that we stopped at a comfortable-looking house on the way. It proved to be a Mrs. John Whipple's place. Mrs. Whipple had "nothing in the house," "and I can't give you no separate room. You might sleep with the hired man. He's real clean for one of them Rooshan Finns." We thanked her, and moved on to Mrs. Tuttle's. It was a large house, rambling loosely in two general directions. Mrs. Tuttle could not provide for us, but thought that Mrs. Tuttle Whipple, "right in the next house," would furnish accommodations. We proceeded to the next doorway, and knocked several times. A faint light appeared at the end of the hall, which blew out before the lady carrying it reached the door.

"Is this Mrs. Tuttle Whipple?" we inquired.

"No, sir,"— in a slightly injured tone,— "this is Mrs. Whipple Tuttle to whom you were just speaking at the other end of the house. This is a kind of double house. I told you the *next* house."

We apologized, and groped our way to the next building, which was gloomy and unlighted. After pounding on the door, we heard a door open, apparently in another building; and a woman's form was seen approaching.

"Is this Mrs. Tipple Whup — er — pardon — Mrs. Tuttle Whipple?"

"No, young man, it is not. It is Mrs. Whipple Tuttle. I told you to go to the next *house.* This ain't no house. It's the Catholic church."

We went to the next edifice, and knocked again. An elderly lady appeared in the distance with a dim candle. It must be Mrs. Whipple Tuttle again.

"Er — is this Mrs. Whittle Tupple,— I mean Mrs. Tuttle Whipple?"

"Yes," said the lady, "but I don't want any"—

"Not at all, madam. We only want something to *eat*. Will pay for whatever"—

"Oh, well, it's after our supper time; but we got up a supper for six Eyetalian laborers that are workin' on the mill-dam. Bein' the night before a holiday, they must 'a' gone down to the village and got drunk. So if you"—

We ate the supper of the six sons of Italy, and slept the sleep of the righteous anaconda.

As to the comparative advantages of the old way of life, if anybody wants to try for himself, as a native philosopher observed, "there ain't no law agin it." Only a few days ago a man went into a store in Fairfield, Me., and remarked that everything except the boots that he had on — namely, stockings, shirts, underclothes, outside clothes, and cap — were spun, woven, and made by his mother. The fact that we seldom hear of such cases confirms the general belief that the new order of things, from a material point of view, is an improvement.

The Puritan New England was like a mighty tree, which, after a slow, patient growth of two hundred years and sending its seeds to float upon the Western air, bowed before the storms of change.

But strong shoots are springing up in the old soil. There seems to be a feeling in many quarters that New England is in a bad way. Look through an index of periodical literature for the past ten years, and you find information grouped under such heads as the following: —

NEW ENGLAND:
- Decline of;
- Decay of Rural;
- Decadence of Thought of;
- Problems of Churches of;
- Crisis in Industries of.

If there has been any general decline in material prosperity, it is not a matter of record. The census of 1895 showed a gain in population in Massachusetts of 15 per cent., about the same as in

Wisconsin, in the growing region of the West. The percentage of increase throughout New England for the past ten years will be found to be the largest for any decade since 1850. Bank clearings, railroad earnings, savings deposits, school appropriations, and other barometers fail to show any area of depression. In New England it is particularly true that social changes depend on economic conditions. During the general sluggishness of business the present advantages of cotton manufacturers in the South were brought into marked prominence. As was the case in New England fifty years ago, they are favored with an abundance of native labor at low wages, and are free from restrictions as to age of operatives and hours of labor. The wage-demanding element is not yet organized. Southern manufacturing will increase to the benefit of the South and advantage of the whole country. Jobbers of boots and shoes in the West will become manufacturers. In these and other lines, local manufacturers will supply their own tributary country with many grades of goods. How far they will cut into New England business is not yet clear. Relations between labor and capital will in time be figured as closely as in the East. With materials like wool and cotton, which are compact in bulk and converted into fabrics with little waste, the question of advantage in freight rates depends upon nearness to the consumer. Iowa creameries can deliver butter in the New York market to better advantage than a farmer twenty miles away in Westchester County, because the bulky Western grown feedstuffs, the raw materials, freights on which are prohibitory to the Eastern farmer, are converted at home into a concentrated product. But there is no such difference between wool and woollens or between cotton and cotton fabrics, or even between leather and boots and shoes.

In New England, manufacturers have a large market at home which geographically belongs to them. The recent meetings of manufacturers in Boston were largely occupied with discussions of the growth of exports. We grow the cotton of the world and let others profit by its manufacture, standing fifth in the list of exporting nations and below the inland republic of Switzerland. Last year the United States produced 11,078,000 bales of cotton, out of a total world's product of 12,949,000 bales. New England manufactured about one-fourth as much as Old England. Yet the exports of Great Britain were to those of America nearly in

the mystic ratio of 16 to 1. Our sales of cotton goods in Latin America in the decade ending 1898 were less than 6 per cent. of their total purchases. With cottons and other classes of goods the problems of overproduction and home competition may perhaps be met by studying the tastes of foreign consumers, extending facilities for American banking and trading, and promoting reciprocal trade. It is possible that the time may come when all the cotton grown in the South, on both sides of the Mississippi, will be manufactured in the South. If the future deprives New England of the material to continue what is now her greatest industry, it is not too much to assume that Yankee ingenuity will by that time have found something to take its place.

The woollen industry has the advantage of the pre-eminence of Boston as the American market for raw wool. The wool market, in return, is assured of its position by the proximity of factories and by its hold on the business community. Boston bank presidents understand the grading and market value of wools, and favor the storage certificates of the wool warehouse as security for advances.

In all her industries the lack of home supplies of coal works against New England. However, she is in partnership with the force of gravitation, and has in her water power a resource to fall back upon, in these days of coal and steam, and one which may render her independent of coal, as the development of electric power from water is perfected. Abundant water power, close to ocean transportation, forms a good basis for permanence in manufacturing industry. Manufacturing seems likely, in the future, to make restitution to the fields and forests which it has drained in the past. The deserted hills are perfectly adapted to raising sheep, and sheep would be the ideal means of restoring the sightliness and fertility of the old pastures. The time will come, with growth in grace, when the American people will eat less pork and more mutton. The forefathers should have been guided by the Old Testament on this point. The great Hebrew law-giver never showed more plainly his oneness with the divine will than when he branded pork as an abomination before the Lord. A people cannot go on consuming fresh pork without becoming shiftless in habits and sodden with drugs. The time must come when this obscene beast shall be dislodged from its incumbency on the American stomach. The hills of New England should be a

source of supply to the woollen mills of the Merrimac and Blackstone, as are the highlands of Scotland to the mills of the Cheviot and Tweed. Even at present prices, sheep will more than pay the cost of keeping. The old-time flocks of sheep would come back but for the capital required to restore fences, barns, and pens. As people lapse into poverty, they find that they can afford to keep more yellow dogs. And this is another fact which deters the average farmer from becoming a shepherd. The counteracting influence of a dozen good sheep dogs might do as much for the restoration of a decadent hill town as a university settlement.

As is the sheep to the woollen trade, so is his cousin, the goat, to the manufacture of boots and shoes. Of recent years our manufactures have grown to such an extent as to tax the entire world to supply our demand for goat, calf, and sheep skins. During the past eight months we imported sixty million goat skins, and the imports of other skins have increased in the same proportion. The tough and self-asserting goat is less liable than his gentler cousin to the inroads of dogs and other disorders, and there are projects on foot for peopling the pastures of the abandoned farms with the goat and gamboling kid.

Again, this is the age of wood pulp. Holyoke and other river towns have built up a paper industry which, if fostered by wise forestry laws, will supply New England with a permanent source of wealth within her own borders. Spruce logs float down the Connecticut and the rivers of Maine, and are transformed, not only into paper, but into the multitude of articles now made from wood pulp. The granite quarries and fisheries will always remain substantial sources of wealth; while, of course, the coupons to be clipped from the summer boarder test the utmost powers of the imagination. New Hampshire expects before many years to derive from this source a cash annual income of $15,000,000 or $20,000,000.

Although in a period of transition, there is good reason to believe that the industrial development of New England has not come to a halt. As it expands, it seems to be certain that the greater part of Southern and Eastern New England will become suburban. The electric cars are doing away with the crowded tenement house. Bicycles at low prices help to make the mechanic independent of space. This region will be filled with comfortable homes, with space for lawns and trees, while the interven-

ing land will be devoted to market gardening and intensive farming.

Such a community is graded and assorted in tastes, occupations, and intelligence,— very different from the simple uniform society of fifty years ago, but permitting a freer and broader life. It should appeal to the student of social science as a promising field for the new American home, where one can get more out of life than in the glare and clang of cities or the far-away quiet of the farm. The democratic spirit, which has showed amazing leavening power, may have enough persistence to soften class distinctions and preserve respect for labor.

The hill towns also seem to have passed the turning-point in the depression which resulted from their elevation. Their vitality depends on underlying conditions, which are more in their favor than at any time in fifty years. If Horace Greeley were alive, he might say, "Young man, stay right where you are." The Interstate Commerce Law has been of some help to Eastern farmers. The virgin soils of the West are exhausted, and artificial fertilizing has become a factor in the cost of production even beyond the Mississippi. Western lands are no longer free, but the supply of cyclones and locusts was never more bounteous. The city has come nearer the country, and is constantly increasing its social and material opportunities. Hard-working, saving foreigners are taking a turn at the deserted farms.

The old American stock haye stayed at home on thousands of farms. They control the Boards of Agriculture, agricultural societies and colleges, and are slowly overcoming the difficulties which beset the New England farmer. They have made some progress in co-operation, which is nowhere more important than to farmers, but from the nature of things nowhere more difficult to attain. They are seeking to apply the methods which prevail in other industries, such as the saving of by-products, exact and thorough cultivation, wholesale buying and direct selling, attention to labor-saving crops, like hay and fruit, and studying the tastes and habits of the consumer.

The friendly interest of the cities is a matter of policy for the future as well as obligation for the past. In the age of collectivism, votes are still distributed among individuals; and New England farmers in a crisis vote and act for order and stability. Our great statesmen, merchants, and soldiers come from the farm.

While the present standard of our great men is phenomenally high, we must not allow the source of supply to deteriorate. Farmers lead a life which every son of Adam ought to lead. Many of our millionaires would go back and run a farm if they could afford it.

The rural villages have also their social problems and sharp contrasts. There are many indications of the growing up of a landed aristocracy. Wealthy people spend more time each year in their country houses. The situation is full of problems, but problems are the New Englander's vital breath. Looking at the difficulties of the past, any future seems easy. Other portions of the country boast of their "resources,"— rich mines, fertile soils, soft skies, inexhaustible forests. As Preston, of South Carolina, said, New England has nothing to offer but granite and ice,— "nothing but rocks and ice"; and of late the factories are robbing her of even her homespun ice.

The modesty of New England in treating of the civilization which she built up and of her influence on other regions is proverbial. She might dwell with equal modesty and volubility upon what she has done at home in meeting the changes of the nineteenth century. For a single item, think of the social and sanitary problems involved in the sudden crowding of the cities and swarming in of a tenement population. Yet the death-rate in Massachusetts in 1890–95 was but little different from that in 1856–60. Scarlet fever and typhoid fever, which stood high in the list of causes of death in 1856, have disappeared from among the first ten causes. The improvement has kept pace with increase in public water supplies and growth of sanitary science.

The European peasant comes in with listless, sullen face, and clumsy walk. His dirty-faced children go to school under the flag. In ten years there is little to distinguish them from other Yankees. Their sons will deliver addresses in Faneuil Hall, and become members of the Ancient and Honorable Artillery.

It is a time of transition for New England at the end of the century as it was in 1850. One prophecy seems safe,— that nothing in the future will test her powers of adaptation and assimilation more severely than the changes of the past fifty years.

3. CHANGES OF A HALF-CENTURY IN VIRGINIA.

BY MRS. ORRA LANGHORNE, OF LYNCHBURG, VA.

[Read Thursday morning, May 10.]

It is significant of the changes that have taken place in the Old Dominion within the last half-century that a Virginia woman stands to-day upon the platform of a public hall to address an audience.

Fifty years ago such action would have excluded her from reputable society, and brought down upon her devoted head the denunciations of the Church.

To a Virginian who has lived long enough to remember what Virginia was under the old régime, who recalls the anguished days of civil strife, who has seen the destruction of organized society and the slow and painful struggle for its reconstruction, the retrospect is fraught with tender and sorrowful reminiscence.

Looking backward from the care-worn present, it appears that in those golden days of childhood and youth all were happy.

Virginia, the home of our forefathers, who had redeemed it from the wilderness and the savage, seems to us to have been the abode of peace and prosperity, beloved of Heaven, whose blessings were showered abundantly upon us.

Memory bears us back to patriarchal homes, where boundless hospitality reigned. The Virginia landholder of honorable lineage occupied the most prominent position among us. Justly proud of his ancestry, he felt deeply his responsibilities as head of a household which comprised many retainers,— his own family, any of his blood who needed shelter, many slaves, and the poor whites who hovered on the borders of his estate, living by charity or plunder. Outside of these personal interests, he was usually a member of the bench of magistrates or held some official position in county, State, or nation, sworn to enforce the laws and preserve the peace.

No portion of the people of the United States were then more loyal to the government than the Virginians. Had they not given

blood and treasure to found it? Was not the Commonwealth one of the corner-stones upon which it rested? The Virginian of that day felt in his inmost soul that Virginia was more important to the Union than the Union to Virginia. Therefore, Virginia must hold up the pillars that sustained the structure. Was she not the mother of States and statesmen? Were not her public men oracles for the country? Was not our university the seat of learning which shed abroad its light in the land? We believed that our prosperity would never wane, that our house, with its fair women and brave men, would never fall.

Our people were not so homogeneous as they seemed. The Eastern Virginians differed widely from the dwellers in the Shenandoah Valley. The latter, of German origin chiefly, a full century later in their occupation of the country, scorning the ease and luxury of the Tuckahoe, careless of book-learning, but wise in practical affairs, trying to preserve in a country ruled by an English-speaking race the dialects of Suabia, thrifty, comfortable, and ever increasing their stores, enjoyed in their own way the liberty of our land. Farther on in the upper valley and South-western Virginia came the sturdy Scotch-Irish Presbyterians, who had braved every peril to serve God after their own faith, and were at first only tolerated in the mountain districts because, as one of the royal governors stated, "they served to keep the Indians off the Episcopalians of the Piedmont and tide-water regions."

Loving learning and building the "log college" and the church before they had secured comfort for their families, they have sent out scions in every direction, which have increased and multiplied until they are found everywhere, filling the high places of the earth. According to one who knew them well, "the Scotch-Irish were the people who kept the Sabbath Day, and everything else they could get their hands on."

To the old, even the middle-aged Virginian of the present, whose mind and memory are filled with "the tender grace of a day that is dead," it is difficult to feel that there could be a better period than that to which we must ever look back as "the good old times." Yet, regarded from the standpoint of the busy, rushing life of the present, in the midst of improvements and inventions of which an older generation never dreamed, a doubt savoring of disrespect forces itself into our thought.

Fifty years ago railroads were just beginning to touch the bor-

ders of Virginia. The turnpike with its lumbering stage-coach and the canal-boat with its snail-like motion were deemed luxuries to those who journeyed mostly on the unspeakable, unfathomable country roads of that time. There were scant means of transportation for the products of our fertile soil away from the rivers. In one of our rural districts a new pastor from another State was shocked to find six out of eight elders in his church owners of large distilleries. The pious Presbyterians, devout in their lives and giving liberally to foreign missions, excused themselves on the plea that their lands produced big crops of corn and rye, and there was no way to get the grain out of the country except by putting it in the blue-headed barrels, which could be wagoned to the railroads at Winchester and Richmond or reach tide-water at Fredericksburg, in no case less than one hundred and seventy-five miles. Now the grain is transformed into flour or cattle, and shipped to distant points by rail. In the tobacco country much of the crop was rolled to market in hogsheads with spikes in each end, to which shafts were attached, drawn by oxen. An illustration of the difficulties of transportation was given when a wealthy citizen of Lynchburg died on his Mississippi plantation, and the hearse and horses were sent from the city on the James to bring his body home for burial.

When we look back to the Virginia matrons of that time, our mothers and our grandmothers, as they appeared to our eyes, as they will live forever in our hearts, we are filled with love and reverence. The gentle and refined lady who was mistress of a Virginia plantation, would have stood poorly among her peers, would have failed in the eyes of her husband and children, and fallen far below the ideal she had set for herself, if she had not been familiar with a score of trades. She had to stand by and direct while the old negro man who was her factotum cut up and packed away fifty to a hundred butchered hogs, with such supply of beeves and mutton as were needed for her family. She must know how to weigh cotton, wool, flax, and hemp in order to assign proper tasks to her handmaidens, who spun and wove clothing for the household. She must be tailor and sempstress enough to order the cutting and making of all the garments worn. Remember, the sewing-machine had not then come to bless or curse the women of the world, as they use or abuse this great boon to the race. This busy house-mother knit con-

stantly herself, and directed the knitting of yarn and cotton, so that no one on the place should go barefoot. The garden, orchard, and dairy, with preserving, pickling, and wine-making, all came under her supervision, not to speak of soap and candles never bought away from home. She had sufficient knowledge of medicine and surgery to attend to the needs of infancy and age, and all ailments and injuries until the doctor, living miles away, could be procured. Cases might be cited where the broken limb of a negro child was set by the ladies on the plantation. A child whose front tooth was torn out in a fall was saved from frightful disfiguration, by his mother, a famous dancer in her day, holding the tooth in place for eighteen hours. A negro whose hand was badly cut in a machine had the wound so skilfully sewed and bound that, when the physician arrived, he would not remove the dressings.

In all these varied occupations the pupils and assistants of the Virginia housewife were the negro slaves, usually a part of her inheritance, loved and cared for in sickness, helpless infancy, and infirm old age. While the women of other sections of our land were forming societies to improve the condition of humanity, the Southern woman was teaching the arts of civilization and the principles of the Christian religion to the barbaric race intrusted to her people. The first anti-slavery petition in America was presented by Virginia women in colonial days, upon the ground that the white men were so often absent fighting the Indians and the women and children left to the mercy of the Africans, often cannibals, always savages. How well the bondmen learned from those who held them captive was shown by the fact that in the Civil War the negroes of the South, with unfailing devotion, protected their masters' families from the Potomac to the Rio Grande.

Many fine and beautiful characters were developed among the negroes by intimate association with their owners. While Northern women were organizing associations for setting the negro free, their Southern sisters were fitting the slaves for freedom. Both "builded better than they knew." Has not the time come when their efforts can be united?

The mistress of every Virginia household was the head of an industrial school for negroes. Now that the patriarchal system is gone, it is no less the duty of the race older in civilization to continue the training so much needed in every community where

negroes are found, no longer for private interest, but that we may, as a people, "claim the heathen for our inheritance," and ourselves be lifted higher because we are uplifting others. The noble work begun by General Armstrong at Hampton is coming to be the model lesson of the South, and the faithful teachers who have done such good service there are sending light into the cabins of the lowly throughout our land.

Such training as has been indicated being needed for the white woman of fifty years ago in the Old Dominion, is it surprising that she often left school at sixteen, and was thought to be going in the direction of pedantry if she remained until eighteen? Could it be expected that she should read the newspapers except the organ of her own church, or be posted upon the affairs of the outside world, when all her faculties were taxed to fulfil her domestic and social duties? Sometimes it appears as if she might have saved both time and money if she had been conversant with market reports. Such was the case of a matron who superintended the laborious making of starch from wheat, as her mother had done before her, during the Crimean War. Her husband chanced to calculate the cost, and found that "sto'" starch could be procured at fifteen cents a pound, when the home-made article was costing about seventy cents, owing to the rise in the price of wheat.

With the numberless conveniences of modern life, we can but wonder at the discomforts placidly endured by our predecessors. A lively Philadelphia girl, who had grown up under a milder theology than prevailed among us, about the year 1850 visited relatives in Western Virginia. She wrote to her sister at home: "Would you believe it? They still haul water in barrels down here, and preach hell-fire and damnation?"

Dr. Hale, of Kanawha, writes: "In agricultural and household appliances, that was another world from ours. The day of canned fruit and vegetables, fish and meat, had not arrived. The honest cow held the monopoly of the butter trade. Grain was cut with sickle or cradle, threshed by the flail or trodden by horses' feet. The long list of modern farm implements had but begun to take form in the inventive brains of those who were destined to bless the world with them and enrich themselves. The McCormicks were still working on the little farm among the Virginia hills, dreaming and talking of the making of the reaper, which, lo! these many years 'has rolled on, cutting gold.'"

The *Southern Planter*, a most useful agricultural journal, on Jan. 1, 1900, celebrated the sixtieth year of its existence in Virginia, with many letters of reminiscence from old subscribers. Many of these are of great interest, particularly the letter of Dr. W. H. Ruffner, first Superintendent of Public Education in Virginia, now engaged in dairying and cattle-raising in Rockbridge, his native county.

The dream of happiness in which Virginians dwelt prior to 1860 was rudely broken when they realized that they had reached the end of their era of peace and prosperity, and entered upon what a Union man in the Convention of '60–'61 predicted would prove "the most mournful Iliad of human woes."

The material loss wrought by the Civil War in Virginia is estimated at $300,000,000. It were worse than useless to linger over those days of sorrow,— to picture the ruined homes, the dead husband, father, brother, son; hopes blasted, dwellings burned; lands laid waste; the labor system destroyed; all desolation, destruction, graves everywhere.

Rather let us turn to the resurrection, and from the ruin of our former prosperity gather the fair flowers of hope and success, cultivated amid struggles that have taxed to the utmost all the powers of the soul. Best, greatest of all our gains, slavery has gone forever from our land. In truth, at last in this second century of our republic is found liberty for all, when in former times there was but a semblance thereof.

The day of emancipation for the negro was the day of freedom of thought, of development of mind, the day of deliverance for the Virginian woman. No longer bound by shackles which cramped her own mind and soul, while they fettered for her use an alien race, she for the first time enjoys to the full the education once given only to the men of the dominant class. In the early days of reconstruction, almost ere the grass had grown green upon the soldiers' graves, Virginia undertook the Herculean task of providing free schools for all the children of the Commonwealth. They were opened to the children of the ruined aristocracy, the poor white, and the ex-slave.

The Virginia woman of fifty years ago had little connection with the outside world except as a church member. In many communities there was not even a Sunday-school or a missionary society. Virginia to-day is a network of woman's

associations, benevolent, literary, patriotic, even political. The census of 1860 assigned to Virginia women only three occupations for self-support,—sewing, teaching private schools, and nursing. In 1900 her remunerative employments are manifold. In the manufacturing establishments springing up throughout the State the work is mainly done by women and children, and it is evident that our labor laws will soon need reconstruction to protect their interests. Four-fifths of the teachers in our public schools, white and colored, are women. Is it not a wonderful thing to tell that the first dollar of State money was given for the education of girls in 1870, and in 1890 a woman trained in our Virginia Normal School is vice-president of the Randolph-Macon Woman's College at Lynchburg, ranked by the Commissioner of Education with Vassar and Wellesley? Before the war most of our teachers were of the male persuasion. A manual of that time advised teachers not to use "tobacco or profanity in the presence of their pupils." It is not necessary to give this caution to the teachers of Virginia to-day. Just before the close of the war a young Virginia lady, bred in luxury, reduced to poverty, borrowed a few pieces of furniture and a few dollars, and, securing the use of an old building, began a girls' school. In the years that followed hundreds of girls from all over the South came to her for instruction. As prosperity grew, she educated free of charge all daughters of missionaries who applied to her and many other girls in whom she felt interest. Recently this teacher, financier, philanthropist, died, leaving an estate of $250,000. The mass of her fortune was left to the school which bears her name, the Mary Julia Baldwin Seminary at Staunton, Va.

Virginia women win golden opinions as missionaries in foreign lands. One young lady from the Old Dominion is in charge of a school of five hundred policemen in one of the port cities of Japan. In the State itself a woman is employed at the State prison; and it is said a revolution has been wrought in that institution since this gentle, motherly woman took charge of the female convicts. A woman doctor is employed in the Woman's Ward of the Insane Asylum at Staunton. Three years ago, by unanimous vote of that august body, women were admitted to membership in the State Medical Association. In one of our Virginia cities a special term of court was lately held, that a woman

lawyer, practising in the United States Supreme Courts, might plead her client's cause before a Virginia judge.

Literature, neglected in *ante-bellum* days, when politics and oratory absorbed our men and domestic manufactures and social life our women, now goes with leaps and bounds, unrestricted by a public sentiment which once stood guard against all progress, lest it touch the interest of slavery.

Page's thrilling story of reconstruction in Virginia and Miss Johnson's vivid pictures of colonial life in the Old Dominion bid fair to rival "Uncle Tom's Cabin" in their hold on public favor. In every direction we see evidence of development, which is bringing the Southern writer into the ranks of those whose audience is the world.

Looking from the past to the present, all seems changed. Our old landed system, if not already gone, is fast going. The great estates are rapidly dividing into small holdings. Not seldom the ex-slave dwells happily under his own vine and fig-tree on a portion of Old Marster's land, educating his children, holding up his head, and feeling that the revolution which produced such great levelling of classes has borne him upon a rising tide to a point his father dared not hope to reach.

The class of country gentlemen, once dominant, has almost vanished, with its responsible bench of magistrates, presided over by the high sheriff. The system substituted has not served to increase our respect for the new order, as we see the county treasurer so often fleeing to join exiled bank officers in Canada.

Great have been the changes in occupation among men. We have seen the decline of the village or neighborhood chair-maker, hatter, saddler, shoemaker, and wheelwright. Among women the spinner, weaver, and peripatetic sempstress is, or soon will be, counted with the days that are no more.

On the other hand, industries unknown to our predecessors have come to stay. The neighborhood cannery and creamery give employment to both sexes, and relieve the farmer and housekeeper of burdens once heavy and grievous to be borne. The chicken industry shows an enormous growth, some farmers' wives making more from the sale of "hen fruit" than their husbands do with grain crops. Every village has its greenhouse for the sale of flowers, and there are districts near the large towns where whole families live by selling violets.

Virginia apples have become important in the markets of

the world. One farmer in Albemarle County sold his last apple crop for $37,000. A late United States Commissioner of Agriculture predicts that Virginia will one day become a vast orchard.

The great changes in the convenience of living in cities, the free education offered, with the growing difficulties in regard to domestic service in country homes, are attracting people more and more to live in the town. The only hope of preserving a vestige of rural life seems to be in the improvement of the country roads.

Simply marvellous is our mineral wealth, and more marvellous its recent development. The generation before us clung to their dusky treasures above ground with a tenacity unequalled since the days of Pharaoh, while beneath the surface of our soil lay unheeded riches, which, just beginning to be known, are bearing our fame to the ends of the earth and building up cities which bid fair to rival the greatest of the North and West. The ocean greyhounds, yearly decreasing the time between us and foreign shores, depend for their speed upon the black diamonds of our Virginia hills. The exports of our coast cities, Norfolk and Newport News, in one month of the current year exceeded the whole exports of Virginia in 1840.

This great advance in material prosperity cannot yet be claimed for the length and breadth of our borders. It is most manifest in portions of our coast, in the Shenandoah Valley and in the country near Washington. The spirit of provincialism, the inevitable result of a feudal system maintained in defiance of the light of the nineteenth century, has naturally repelled immigration in regions remote from the great centres. But in all these things a steady improvement is shown. Each season finds among us a growing tolerance of difference in opinion. Our churches, once so far removed from each other that the Episcopalian scorned his brethren of other faiths and it was not healthy for an Episcopalian in communities where Presbyterians and Baptists prevailed, now dwell together in unity. Political sentiment is less violent at each election. People from all sections of the land meet and mingle kindly on Virginia soil. International marriages are the order of the day.

As time goes on, we may hope that old prejudices and animosities will be forgotten. Why should we see with dead men's eyes? The venerable past is past.

"'Twas good, 'tis gone, and shines not in the ray."

4. THE BOERS OF SOUTH AFRICA IN THEIR SOCIAL RELATIONS.

BY MISS FLORA J. WHITE, OF CONCORD, MASS.

[Read Thursday morning, May 10.]

The attention of the world is held at this moment by a people whose national life began under impulses similar to those which gave rise to the American colonies. Afrikander and American are alike the descendants of determined, virile men, who sought a new life on a new continent from love of independence and strong religious convictions. The difference in the progeny — that dissimilarity between Afrikander and American which did not exist between Huguenot and Pilgrim — is due primarily to physical and geographical causes. Our forefathers found here a long line of available seaboard, comparatively near the fermenting, overflowing life of Europe. They found also vast woodlands, numberless watercourses, and an atmosphere with a sting that would not let humanity rest.

As a result, we have manufacturing, commercial America, — forever stimulated, forever dissipating her energy. South Africa, on the other hand, confronted her colonists with a barren shore, skirted by still more barren mountains. Those who would possess the land must go into the heart of it, and there abide,— cut off from their fellows, not only by an ocean distance thrice as great as that of America from Europe, but by mountain walls 7,000 feet in height. Woodlands there were none: watercourses were but a thing of a day. There was only a dull stretch of level land, and a changeless, unveiled sun, upon which they could rely. Strangely enough did these serve their purposes. Self-preservation never meant to the Afrikander the strenuous daily activity for a livelihood that it meant to the American colonists: it meant always defence.

Resulting from these conditions, we have in South Africa a slow, retarded growth, a great conservation of energy, a steady reliance on those things which the past has approved; while

America, always under stimulus, has gone through a mushroom evolution, making her the marvel of the world. South Africa, half asleep, brooding over her wrongs, waiting for her dawn, has only now become conscious of her slowly gathered forces. Now, like her own lions, she has pitted them against half the world, America looking on, and betting her shrewd commercial wager that "civilization" would win.

"Civilization,"—that word is now the war-cry of the Anglo-Saxon race. It should stand only for what is wise and excellent and righteous; but are we not fast making it stand for those things we have most reason to deplore,—for dependence on luxury, for greed of gain, for unscrupulous acts, cheap opinions, and cheaper faiths? In short, does it not mean to us a condition of living that would exclude Peter and Paul and Christ, as well as Carlyle, Emerson, and Ruskin? A civilization worthy of the name should possess within itself the elements of strength, stability, permanence. These are the properties of a slow growth, a cohering instinct of self-preservation. They indicate reliance on agricultural resources, to sustain health and virility: they imply little dependence on the general environment. Thus it is quite possible that South Africa's two centuries of waiting, implying escape from the o'ermastering commercial spirit and a holding fast to the essential facts of life,—and thus storing up energy for future needs,—may have given a power, despite apparent backwardness, that will compel the coming century to respect, perhaps to envy. Having dwelt there and known something of her people, I am slow to admit that civilization is alone evinced by mechanical appliances, or works of art that lack beauty, or an increase of schools teaching everything but thought and action. Is it shown by gambling in industries, by political trickery, by wars unjustly begun? No, rather by promoting the honor of men, a state of society which allows deeds of dishonor and applauds them being virtually uncivilized whatever it may loudly claim.

Our Anglo-Saxon race seems in danger of losing honor in the unstable equilibrium of so-called "civilization": it has already lost its poise. In its two great branches, England and America, it brings before me to-day the spectacle of two rakes returning from a revel. Their steps are unsteady: the marks of the gutter are on their festive attire. Deep in their hearts is a sense of

shame, yet they keep bowing to each other with exaggerated courtesy. Let them stop bowing, and tell one another the truth. May we not own, Anglo-Americans, that we have defied justice, disowned our Constitution, and outwitted our laws? Then England, perhaps, may cease her game of bluff, and confess that she has made chapters in the history of South Africa, as well as in the histories of India and North America, which she hates to read,— chapters that her own historians, like Macaulay, have extenuated as best they could, and yet must write that "the rules of justice, the sentiments of humanity, the plighted faith of treaties were as nothing when opposed to the interests of the [English] state."

Let us, then, cease to cant of a civilization that readily sinks into a coarse brutality, and turn, with more intelligent, sympathetic interest, to that hardy race — at least no worse than ourselves — who have been struggling for independence for almost a century.

Colonized more than a century earlier, in 1806 the little Dutch settlement at the southern extremity of Africa held itself responsible to its mother country, the Batavian republic. It was a simple, peaceful community, loving the government to which it owed allegiance, and not without reason. That for which the Dutchmen were most eager,— peace, freedom, justice,— all came to them under Netherlands' rule. But one day, in consequence of Napoleon's wars, a fleet of English ships put into Table Bay, and the British flag was set flying from the castle of Cape Town. From that hour the colony was called English,— a thing easily said; but a colony is not thus easily made. It takes more than a flag, backed up by an assertion, to make one race part and parcel of another. The little settlement remained Dutch: it was never English, save as a spoil of war. That generous English soldier, Sir Robert Wilson, when visiting Cape Colony soon after its conquest, wrote: "There is a question whether the British can ever induce the Dutch descendants in the colony to adopt the English cause, to the prejudice of Holland. I never heard of a chief and public character who stood in such high estimation as the governor-general, Janssen, whose rule preceded British occupancy." Janssen was indeed greatly beloved, and the sentiment was reciprocated. Referring to those who had borne arms under Janssen, and their treatment, Sir Robert observed, "This mode

of crimping does not accord with the dignity of the English nation, nor with military honor."

These, and other words of Wilson which might be cited, give a clew to the political situation in South Africa at the beginning of the present century. The burghers had a predisposition to remain Dutch rather than to become English, displaying itself in stubborn patriotism, often in dogged opposition to English innovations. On the part of England was a tendency to look slightingly on the burghers and disregard their interest, in spite of the efforts of many fair-minded Englishmen that justice should be done to the colonists.

These features of the situation have remained unchanged from that day to this. To the conquering power, South Africa was but a port, a supply station. It sent out a governor, empowered to act as a despot; and it received the allegiance of the colonists under promises it seldom fulfilled. Friction was soon produced by an attempt of the government to dispose of the public lands, which had been pledged as security for the paper currency left in circulation, and later by the redemption of this currency at three-eighths of its par value, in the face of a promise to give it full value. A feeling thus arose that England could never be relied upon to deal fairly in money transactions; and this was accented by the terms of the emancipation act of 1834, so arranged that under no circumstances could the burgher realize more than a fraction of the promised payment.

Such dealings irritated and destroyed confidence; but they induced far less bitterness than a cold and deliberate policy, touching the pride of the colonists to the quick, which suppressed all progressive activity that had its origin within the colony. Public meetings were forbidden, free speech made subject to severe penalties, and, finally, a prohibition was placed on the Dutch language, making its use illegal in all affairs of law and of state. Censorship of the press was carried to absurd lengths, the one literary periodical being suppressed for having dared to reprint an article from the London *Times*, which the governor conceived to reflect upon the liberality of his administration. All this was during those years when the world cared more for national independence than it had before or has since — years when eventful revolutions were successfully accomplished, and the words "justice," "equality," etc., bore a serious message.

Could it be expected that a people whose traditional love of freedom surpassed that of any living race would submit forever to such oppression? Yet, to realize the full measure of what they endured, we must think of a system of taxation which scarcely permitted the burghers to live, while paying their governor a salary of £10,000 a year, besides providing him with four residences and other perquisites. Indeed, one-fourth of the entire colonial revenue went to the heads of the various departments of the government.

The governors seem to have pursued a vacillating, ineffective policy in regard to the native races, creating boundaries one day only to withdraw them the next, and giving the burghers no redress for the devastation of their property, nor even for the massacre of their families. Moreover, we must not forget what no Afrikander will cease to remember, that England administered justice and discipline among the free burghers of South Africa by means of what was called the "Cape Corps,"— in fact, a body of armed Hottentots. This gave rise to the incident of Slaghter's Neck. One proud old burgher refused to be arrested by three Hottentots on what he claimed to be the trumped-up charge of a Hottentot servant. This burgher was shot down; and his friends, resenting it, were seized under the orders of the governor. Thirty-nine were imprisoned or banished for life; and five were hanged,— twice over,— for a negro had arranged the gallows, and the cords broke. The English commanded the victims to be strung up again,— some strangling, others praying, as the Boers are wont to do. And yet these men had shed no blood.

They belonged to a community which Sir Robert Wilson had described as singularly dignified and upright, — one which, he suggested, Englishmen coming there would do well to emulate rather than deride. His words carry special weight, not only because he was one of the conquerors, and on the spot, but because no Englishman of his day was better fitted to judge equitably of a foreign race. He reprimanded in severe terms those who, to further their own ends, had even at that early day begun a system of slander and misrepresentation against the inhabitants, the effects of which are still felt. Sir Robert wrote: —

These colonists consider the aristocratical constitutions are but official distinctions, calculated to maintain order, but not to divide mankind; that virtues or vices exalt or degrade men; that social

qualities or unfriendly dispositions, similarity or dissimilarity of manners and habits, invite, or forbid, intercourse. The man, not the title, is the object of their consideration. Their principle of action is mutual accommodation, and the proudest foreigner must be satisfied to contract with them upon the terms of mutual civility. His self-importance will never be exposed to an offensive shock if he adheres to these conditions, but his vanity will never be gratified by servile obsequiousness. England has already introduced the financial establishments of a kingdom into that colony, but she would do quite wrong here were she to revolutionize the society; and those English, of both sexes, who proceed there, should bear in mind that any contemptuous treatment of these honest people, now fellow-subjects, on account of their simplicity of habits and principles of equality, would be far from honorable to their own feelings or advantageous to the interests of their country. . . . Here, and here alone, perhaps, in the whole world, are the slaves treated with a mildness that would meet the admiration of a Howard. No rigorous toil excites compassion or indignation; no melancholy plaints pierce the heart of the passer-by.

Again and again he alludes to the paternal attitude of the burghers toward their dependants, and can hardly find sufficient words to commend it. Referring to the large number held for the service of each family, he says: —

This is indeed a burden imposed upon the masters by an honorable aversion to sell those who have been born under his roof. They are retained because they were for the most part born in service, and have their nearest kindred in the same house.

Wilson hoped for the speedy abolition of slavery, and believed that the burghers were favorable to the employment of hired servants. He said that, if such a change should be effected, undoubtedly the greater part of the slaves would continue where they were, from gratitude and from a consciousness that they could not improve their condition. Sir Robert's views are confirmed by Theal, in his History of South Africa. He says, referring to correspondence and other manuscripts used in compiling his book; "Nowhere is there a single word to be found in favor of slavery as an institution," adding that the views of the Boers are fairly represented in this sentence from a letter to Sir George Napier: "A long and sad experience has sufficiently convinced us of the injury, loss, and dearness of slave labor, so that neither slavery nor the slave-trade will ever be permitted by us."

This letter was written by those Boers who had "trekked" out of Cape Colony. Some of them had never owned slaves; some had abandoned the institution voluntarily; none wished to preserve it. Indeed, it is recorded by Theal that the slaveholders of Cape Colony convened at their own initiative, and voted that, with the sanction of the English government, they would free their slaves by gradual emancipation; that is, by declaring that henceforth every female child should be born free, which, of course, would give freedom to their children. This proposition was placed before the government; but, in accordance with the policy that ignored whatever came from Dutch initiative, it failed to receive attention. And we must recollect that most of the slaves brought into the colony were imported in English ships, and sold by Englishmen to the profit of the government, and, moreover, that the corruption among English officials had been such that an authorized handbook of Cape Colony contains this statement: "An instance of the depravity of those immediately connected with the representation of the sovereign was given in the case of an official who wanted one-half, but agreed to take one-third, of the profits on a cargo of slaves."

These facts, which the burgher kept constantly before him, may give some notion of the astonishment with which he awoke one morning, to be told that England had emancipated the slaves, and that those who had been masters were now looked upon as the most unrighteous of men. He had felt the burden and the hazard of his slave property, and was ready enough to welcome any safe measure to relieve him of the institution; but he was too choleric to endure quietly the sudden confiscation of his property by a government that had ignored his overtures toward emancipation, particularly when that government posed as benefactor, while he, who bore the brunt of the sacrifice, was condemned as a would-be oppressor. However, emancipation was not the cause of the Great Trek. Had the emancipation act never existed, that vigorous protest against continual misrule would have been made by the Dutch in their northern emigration. Nor was it, as sometimes said, the effort of an uncivilized people to free itself from contact with "civilization." It was the attempt of an independent, egotistic people to free itself from unjust foreign control. Its fair parallel in history is our own Revolution, but even that can hardly equal the determined wrath of that silent force which went

out of Cape Colony in 1834. In the heat of present controversy, Englishmen have allowed themselves to belittle these men and their heroic deed. It has been said they were nomads who could not abide authority.

Sir Benjamin Durban, then governor of Cape Colony, sent word to England after the famous movement began, "The flower of the colony is leaving us." He also described them as "a brave, patient, orderly, and religious people,— the cultivators, the defenders, and the tax-contributors of the country." It is safe to say that, if Durban's administration had begun ten years earlier, and if he had been supported in it by the home government, there would have been no trekking from the colony. For it has been an unfortunate circumstance that the ablest, most sympathetic and far-seeing of the officials — those whose sole interest was the welfare of the country — have been hampered in their work, and finally recalled by those not on the scene of action, who could not comprehend the situation. But these notable though displaced officials were warmly appreciated by the colonists, both Dutch and English.

The English government claimed that the emigrants must still be British subjects, though the obligations of England toward them ceased with their crossing the boundary. She maintained her right to sell arms to the natives, and to join them in attacks on the emigrants, and actually sent a force to what is now Durban, to fight the farmers who had settled in that region. Her native allies committed murders and outrages which aroused protests from the settlers; but these were assured by the English in authority that it was only what they must expect for leaving Cape Colony and placing themselves where nobody owed any obligation to them. Then began a stronger stand and a fiercer struggle for the old burghers. They fought the English, they fought the natives, and they fought the wild beasts. At last they made their way to a dreary land, unclaimed and undesired by any human soul, white skinned or black. Now were they warriors indeed, yet holding fast to two things,— God and their independence. The shrewdest of the native chiefs, thinking them better men than the English, gave them his friendship.

The little English army, always ineffective against the natives, was now in a hard place. Its fate was really in the hands of the emigrants, whose leader was under English proscription,—a "rebel,"

with a price equal to $10,000 set upon his head. But he was sent for. The independence of the Transvaal was acknowledged in that Sand River Convention by the English government. In the meantime England was producing in that part of South Africa evacuated by the Boers one of the astonishing phenomena of history. Having created a series of treaty states, occupied by natives, along her colonial borders, with a tacit recognition that her hand would be with them against the Dutch, she annexed all the territory occupied by the burghers after the Great Trek, and believed she had thus made a condition of things that would drive them back into Cape Colony. As we all know, it only drove them across the Vaal River instead.

But there were a few burghers of less courage than those in the van, and many English settlers, who remained in the annexed region. A time came when what England did for the express purpose of harassing the Dutch reacted on herself. An armed force must be kept to preserve the peace in the Orange River sovereignty; the treaty states are a terrible menace. England now turns upon her loyal subjects,— her own flesh and blood,— and says in substance: "You are a nuisance. Go and be independent, like the rebel Dutch, whom I proscribe." And, when they protested, she called them "obstructionists" and other hard names, and disowned them.

Thus was the Orange Free State created, and thus was the loyalty of its citizens rewarded. To this point England can hardly be said to have advanced the cause of civilization among the inhabitants of South Africa. That which is the very basis of civilization — freedom — she had steadily opposed, and had by unwise legislation promoted warfare, blocked intellectual advancment, and checked material prosperity.

Since then she has found that South Africa could be made a source of great commercial profit, and she has widened her policy to suit the new conditions. She has weathered many periods of anarchy, financial distress and seeming ruin within her colonies there, and has steadily increased her dominion. After eighty-five years of such rule as I have described, she has made the Dutch language legal,— the speech of a vast majority of the inhabitants of South Africa,— but she has never allowed it to be used as a medium of instruction in the schools. And this in schools where the proportion of Dutch pupils to English was as fifty to one,

and where all preferred the use of Dutch. She has relieved the rural Boer of all the trying responsibility that comes with the control of large financial resources, and has kept his patriotism alive by invasion and menace.

These favors have had an indirect value for the Boer. It is true that a ceaseless activity in defending his rights has thus far precluded his people from a complex evolution, like ours in America; but it has secured to him a marvellous intensity, a peculiar power of concentration. This shows itself in an ability to grasp the essential features of any subject or situation to which his attention is turned. The Boers learn their lessons well. They need few repetitions. They are sober, thoughtful, and slumbrously passionate; strong-limbed, clear-eyed, and with a wide kindliness of nature that suggests the breadth of the veldt. From such men might have sprung our great Boer President, Abraham Lincoln,— men of large unused powers, whose hearts are still young. They still believe in God, and have respect unto their fathers. They love heroism and all heroes, both of the past and present; and their faith in the genius of their own race is so unbounded that they stubbornly refuse to be stuccoed with the ideas, ways, and opinions of other men, but insist that they must develop along their own line and no other.

The Boers are standing to-day under the search-lights of the whole world. In this glare we have made the surprising discovery that some Boers are good and some are bad, some are clean and some are not, some ignorant and some clever. In short, we have discovered that they are men, not wholly unlike ourselves; and yet we feel a difference, a difference that might make us wonder whether we, in the midst of our vaunted civilization, could endure the keen scrutiny the world is now turning on the Transvaal, and front back the gaze with so steady a look of single-minded, serious purpose as do these Boers. The Anglo-Saxon likes to say that his is the dominant race; but we must confess that, however much the Anglo-Saxon blood can dominate elsewhere, it is swept aside by a stronger current in South Africa.

If I ask you to name me one English Afrikander, against that one there will probably rise to your minds the names of ten Afrikander Boers. Where are the English Afrikander heroes? Yet a Cronje, a Kruger, a Joubert, a Botha, a Retif, a Hofmeyer, a De Villiers, a Wessels, may be met at any step in South African

history. We were told, not long ago, that the English residents outnumbered the Dutch by a considerable majority; yet we all know now that South Africa is Dutch, and not English. And those who have lived there (as I have) know well how slight and commonplace the English colonist seems beside his Boer neighbor. Even English boys who have been there half a dozen years become practically Dutch, speaking the Dutch language and thinking Dutch thoughts. The French element was amalgamated in one generation and obliterated in another; and the same fate befalls every race allying itself with that forceful, vital current which flows in the veins of the colonial Boer.

It is noticeable that the national antagonism of Dutch and British does not prevent intermarriage. More than once — many times — have I seen Boer youths return from their college life, with charming brides taken from the midst of Edinburgh society. These girls knew their fate,— the lonely farm life, the foreign speech, the patriotism of their husbands,— yet they accepted it. And the children of these women,— are they any less Dutch than their fathers? Indeed, they are not. It is Dutch blood, Boer blood, if you please, which dominates South Africa. And it is my belief that it will not be permanently conquered. An unborn race, nourished in the strain of present events, has yet to be reckoned with; and it may well be that the coming peasantry and freeholders of the veldt will, through their love of liberty and the qualities I have seen in their race, triumph hereafter in a worthier civilization than any which the aggressive Anglo-Saxons have the power or the permission to thrust upon them.

History deals as arbitrarily as any despot with the ambitions and the dominations of world-subjugating empires. The Cæsars and their armies were routed in the campaign of centuries by the unweaponed,— nay, the crucified — Galilean outcast. Our ancestors felt and trembled at the plus ultra-imperialism of Spain. But neither her arms, her fleets, nor her colonial treasures were a match for the overflow of Holland, or the storms of the North Sea, or the vigor of Dutch and English and American rebels against the majesty of Madrid and the civilization of the Inquisition. There is a social economy which deals with man himself, as well as a political economy that deals with wealth and revenues. Bacon seems to have understood both, as doubtless this Association does; for he wrote concerning "the true greatness of kingdoms and estates" these wise warnings: —

Many are the examples of the great odds between number and courage; neither is money the sinews of war, as is trivially said, — where the sinews of men's arms in base and effeminate people are failing. For Solon said well to Crœsus, when, in ostentation, he showed him his gold, "Sir, if any other come that hath better iron than you, he will be master of all this gold."

Civilization rests neither on iron nor gold (though more on the plebeian metal than on the product of Johannesburg), but on the high qualities of man, and on obedience to the laws of God. The one cannot be simulated, nor the other dissembled. The modern commercialism is at variance with both.

Mrs. CAROLINE H. DALL.— In one of the papers to which we have listened, in speaking of the influence of women in philanthropy, etc., an omission was made of any reference to Mrs. Fry, who, previous to the time of Florence Nightingale, was active in prison reform and in sanitary reform, as well as in doing what the priest and the doctor could not do. Then the reference to the work of Dorothea Dix reminds me of something that occurred within the last few years.

I suppose there are those present who know something of the movement inaugurated against vice in the English army, especially that part of it operating in Oriental countries as well as at stations in England, by Josephine Butler, wife of a dissenting clergyman of Southampton, and by those who in Parliament worked with her. Some years ago — I cannot give the date — a law was passed for the suppression of vice, especially in the Indian army. Three or four years later it was alleged that the general commanding the armies had pandered to vice. Lord Roberts, who had at one time commanded the army, was in Parliament; and he rose in his place, and said that the statement was malicious, and that the charge was groundless. Those interested in the movement were sure they knew better. After some years, four or five, perhaps not so long, they ascertained that two Congregationalist women of America were going to India as physicians. Those two American women were instructed to make, and did make, a thorough investigation by visiting the camps, conversing with the women, and by getting affidavits from influential and well-known persons. They sent their report back to England. It was presented in Parliament, and Lord Roberts was obliged to rise in his place and apologize to the country for his former statements. Whatever reform takes place hereafter will be the result of the efforts of those two American women.

You must not blame me if you should find I have made some errors in facts and dates, because it has been three or four years since I have read anything on this particular incident. But I have followed the matter carefully, and have always been interested in the Geneva Conference, which was connected with this movement of Mrs. Butler's.

Mr. MCKELWAY.— The excellent remarks of Mr. Sanborn are a perpetual delight to me. To him we owe much for the development of the annals of local, minor, but still important sections of our country,— New England on the one hand and Virginia on the other; and I hope that by multiplying and increasing this tendency, by having the great centres of influence brought to bear in our country to trace their progress during the past half-century, we may little by little attain a record that will assist to free us from the bondage of doubt, and at the same time bring us the achievement of hope and the aggression of dominance and success. And, as a representative of the Empire State, I beg to acknowledge not merely the indebtedness of New England to the nation, which is obvious, but the indebtedness of the nation to New England, which is not so obvious.

We have studied very closely not only the progress of New England and the attitude of New England, but especially the attitude of Massachusetts in the centuries in which we have lived side by side as States; and we have found

that, after the Dutch on the Hudson and around the Communipaw and Long Island Sound established the principle of public education, New England was glad to adopt or somewhat to improve upon it, and then, without delay, claimed the originality of it. We have also found that the dealings of the Dutch and the English in our own State with the Indians — dealings of peace, dealings of concord, dealings of amity, dealings in a friendly spirit of barter — were better than that ounce of prayer and powder which distinguished the Pilgrims and Puritans who landed at Plymouth, their feet clad in Dutch shoes, and upon the rock thereof lifted up their voices, and made a noise like the gun at Lexington that was "heard round the world." Now, if the people of New York, one hundred and fifty years ago, had begun the habit of glorifying what their ancestry had done, glorifying themselves as the wonderful progeny of such wonderful ancestors, and of prophesying their own ultimate greatness and predominance, I think the annals of New York would be equal to those of New England.

Professor Raymond said yesterday that all good education began at the beginning. It dealt with the elements, it started with the memory, it was strengthened by repetition. So we should have our boys and girls memorize the history of our achievements, declaim them profoundly and repeatedly, all the time growing in the sincere belief that we are the wonder of the world, the approbation of mankind, the hope of the future, and the despair even of our friends. There is nothing even to prevent it.

New England has been the instructor of the nation in teaching it where not to go, how not to feel, what not to do. The Jeremiads against the expansion of American institutions, which shot through the address of the president of the department this morning, were but the echo of the opposition to the Louisiana purchase, were but the repetition of lamentations and phrases concerning even the propriety of settling that country under the North-west Ordinance, were but again the repetition of opposition to the War of 1812; were almost the repetition of that device, and well-nigh that recourse to secession in 1812, which later was followed from 1861 to 1865 with immediate disastrous consequences, but, as we are all glad to know, and were very glad to hear in most gracious form this morning, were but the prelude of promise, the proof, the guarantee, of a far more glorious resurrection.

Now, if the nation will steadily disregard the voices of light and of leading, as they themselves believe they are such voices,— sounded by New England at this time,— we shall get over the troubles of 1899 and 1900 as easily as we got over those of 1803, 1812, 1845–50, and of 1861 to 1865. I think that the excessive attention to remote evils, the superfluous solicitude about the wrongs of other people, the habit of reforming others,— what I may call the spirit of prescription on the one hand and of proscription on the other,— those characteristics of New England life, have been too apparent to observers, and of which the owners of those lives have themselves been too unconscious. I know that I am speaking as a minority of one to an audience probably unanimously against me. But every spokesman from that section of our country has so frequently exploited the right of dissent, has so frequently challenged the patient criticism of silent audiences, that I feel that I must, just for once, partly in

irony and partly in earnest, put myself in the position of a dissenter, and surrender myself to the verdict of your more or less tender mercies in the case. You know how far out of the way I am in what I have said in response to the challenge addressed to me by Mr. Sanborn; but I believe that even he will not be moved to discharge at me a rhetorical shot.

Mr. KINGSBURY.— I should like to say a word in regard to the relations of the Puritans to the Indians and their land titles.

The valley of the Connecticut, in the neighborhood of Hartford, was first settled in 1635. The English came there on the invitation of the Indians. The Indian sachems made a journey through the woods to Boston, where their reputation had preceded them. They were known as honest and reliable men who would not stand much nonsense or any interference from anybody that had not rights there.

Mr. F. B. SANBORN.— Especially the Dutch.

Mr. KINGSBURY.— Especially the Dutch. After that they sent a deputation to view the country, and then they accepted the invitation, and they paid for their lands; and there never was the least particle of conflict between those settlers and the Indians who lived around there, and who had invited them there. Not only that, but, owing to a failure of the crops the next year, the whole settlement there would have starved, had it not been for those Indians who fed the settlers from their supplies of corn.

Eighteen months from the time that they came there, when the whole fighting population numbered about ninety, they declared war against the Pequots in the south-eastern part of the State, whose fighting population was estimated at one thousand. The Pequots were supposed to be New York Indians. At any rate, they had not been there a great while; and they came from somewhere off in that direction. They were on good fighting terms with the Mohawks always when they met them. Those ninety men took seventy Indians who had had a little bit of private difficulty with the Pequots, and went down the river; and, when they got to the mouth of the river, they had head winds, and were delayed two or three days. The people there began to appeal to them, and they were rather advised to give the thing up. They had a fighting parson among them. Captain Mason said he would leave it to the Lord whether they should go ahead or go back. So he put it into the hands of the parson. The parson considered and prayed over the matter, and slept upon it over night, and told Captain Mason next morning that he was of the opinion that Mason was right, and that he had better go ahead. As there were no telephones or telegraphs in those days to interfere with other people's business, they went ahead; and they destroyed that Pequot nation, or came so near it that they never rallied again. Captain Mason continued his expedition along the shores toward New York, and, after two or three pretty severe fights, finally got there. And then the first piece of politeness performed by the Mohawks was to send him and his men back to Hartford. That is the history of that transaction.

I was much interested in the paper on the history of Virginia during the last fifty years. Sixty years ago I was living in Virginia, fifty miles west of Washington, at Warrenton. On the road on which I lived, from about the

middle of September clear through to the spring, every year you could hear all day and all night the wheels of wheat wagons going over the broken stone road on their way to Falmouth and to Alexandria. Falmouth is a place that you would find it difficult to locate on the map now. It is a little village at the falls of the Rappahannock River, about two miles from Fredericksburg. At that time it was one of the greatest flour-making places in the world; and in those days General Duff Green controlled everything there pretty much, especially the wheat and flour. When the railroads opened the Western lands, that business became unprofitable. Years and years ago the people in this immediate vicinity were interested in tobacco, but they did not understand the proper management of agricultural matters. The lands lying just west of here were all sand and pine barrens clear out to Prince William Court-house. They are in very much better condition now than they were sixty years ago. I went through that region by stage at that time, and the land was not worth five cents an acre. The tobacco trade had become unprofitable in consequence of the opening of railroads, and the value of the wheat market was destroyed. I was told by a very intelligent gentleman, whose name most of you would recognize, I dare say, who was an officer in the Confederate army, and who has been a close student of history, and is to-day a teacher in Virginia, that the great moving cause of the Civil War was the fact that Virginia, North Carolina, and South Carolina, as States, were on the verge of bankruptcy at that time; and that, if they had been prosperous, if the tobacco and wheat trade had been kept up, there would have been no complaint and no war.

Mrs. CAROLINE H. DALL.— May I ask this gentleman, or any one who knows, who were the Indians who destroyed the family of Anne Hutchinson? I have never been able to get any definite information about that assault and the burning of the house in which that family lived.

Mr. KINGSBURY.— There were half a dozen small tribes in that vicinity, with a variety of names; but they were generally supposed to belong to what was known as the Lenni Lenape, or Delaware Indians. But lately I have seen that statement denied, and just what tribe it was I do not know. But they were one of those rather nomadic tribes of Indians around in the neighborhood of New York. Dr. Anderson is somewhat of an authority on Indians, and he may be able to give us that information.

Dr. ANDERSON.— Can you give the date?

Mr. KINGSBURY.— I cannot give the exact date, but it was probably about 1650.

Dr. ANDERSON.— It is rather difficult to draw the line between the New York Indians and the tribes along the coast to the west of New Haven. But I should incline to think that they were what is now known as the Mohegan stock, sometimes called the Quiripis. They were probably not Mohawks, at any rate, unless the Mohawks made some sudden inroad into that part of the country.

Mr. F. B. SANBORN.— Sir Robert Wilson, who was quoted in the early part of the paper, is one of those typical immortal Englishmen whose reputation will survive beyond even that of Mr. Cecil Rhodes. He entered the

British Army at the age of seventeen years. He is the son of that General Wilson who was so distinguished in the Austrian service in the early Napoleonic wars, when he received at the age of twenty the highest distinction of the Austrian Empire. He was in Egypt in the campaign of General Abercrombie, and has written the best account of that campaign. But I suppose his distinction hereafter will rest quite as much on a remark he made at the trial of somebody in Paris, after the restoration of the Bourbons, in regard to the escape of General LaValette, as upon his military career. General Wilson was an officer of the British army at the time that General LaValette escaped from the Bourbon prison; and I suppose that fact became known to the authorities in Paris, and he was put on the stand as a witness. He was asked in regard to any conversation that he might have had with the wife of General LaValette; and Sir Robert replied, "I was bred in a country where the soldierly virtues were regarded as political virtues, and I have never trained my memory to a breach of friendship." That is what Miss White referred to.

In opening the evening session of the Finance Section, Professor S. M. Lindsay, the chairman, spoke as follows: —

Ladies and Gentlemen,— In opening the session of the Finance Department, I think it is well, perhaps, to say a word about the topic that has been selected for our discussion. The condition of the currency, so far as the immediate outlook in our own country is concerned, is a satisfactory one. We have undoubtedly, as a people, adopted a currency policy that will probably remain permanent for at least a generation, and perhaps longer. England nearly a century ago adopted the same policy, and has not seen fit to change it in any significant respect. It is doubtful whether, in the progress of our own economic conditions and institutions, we shall find it necessary to depart from this policy. There is a further reason why we may contemplate with considerable satisfaction the settlement that has been reached respecting the currency policy of the United States. It makes very much less difference, perhaps, to the real business interests of the country what the currency system is compared with the greater importance of how permanent is the currency policy. Business can adjust itself in the long run to a bad currency about as well as it can to a good currency, if there is only some reasonable assurance that a definite policy will be persisted in. I think, therefore, the business community, at least, feels a sense of intense satisfaction that we have at last announced a definite policy so far as regards the basis of our currency; that is, in the adoption of the gold standard.

It would be rather interesting, had we time, to trace the changes that have taken place in currency discussion; but I desire in these opening remarks merely to call attention to the interest of the scientific world in a discussion of this character. I think any one at all familiar with academic and scientific discussion would have predicted what probably the average practical man of business affairs would not have predicted a few years ago, — that during the intense excitement in the period when the currency question was in practical politics we had no reason to expect any very definite discussion of this question from a scientific point of view. The academic man is loath to go into questions that are in the heat of practical politics, and we may say that now we are entering upon a period when we can discuss dispassion-

ately and in a perfectly scientific manner the real problems concerning the question of the currency. Those that are in favor of the standard which the United States has adopted can now produce the scientific proofs of the validity of that standard and of its desirability. Those who have objections to make, based upon scientific economic reasoning, will have a chance to bring those objections into the arena of practical discussion in a way in which they could not bring them while this question was in the heat of practical politics.

The paper of the evening, prepared by a gentleman of authority and of high standing in the business world, who has given considerable attention to the scientific side of this question, is certainly one upon which we may legitimately congratulate ourselves. We shall have brought before us in the clearest possible way the fundamental basis of an ideal currency; and it is with great pleasure that I present to you the speaker of the evening, Colonel Jacob L. Greene, of Hartford, Conn.

5. AN IDEAL CURRENCY.

BY JACOB L. GREENE, PRESIDENT CONNECTICUT MUTUAL LIFE INSURANCE COMPANY, HARTFORD, CT.

[Read Thursday evening, May 10.]

In this brief essay I can attempt nothing more than to indicate the force of those constant facts which lie back of all currency use, vindicating themselves in experience against all legislative interference, and briefly to outline the essential factors of such a currency system as would naturally, and in its main features inevitably, grow out of their unhindered operation: such a currency use and system as would be absolutely correct in its base and scientific in its developments of detail, and which ought, therefore, as a natural and perfectly wholesome human instrumentality, to receive the recognition and the sanction of statute law. We may also note some conceptions, not yet wholly transcended, which such a system must exclude.

Currency is anything which by common usage and as a matter of course passes in commercial transactions as an equivalent, at some agreed rate of exchange of its unit, for any and all purchasable commodities. Currency may have two essential forms: money and credit. An item of currency must be either a thing of commercial value in itself, adopted for the purpose by the usage of the merchants of the place and time, in which case it is money; or it may be a generally acceptable promise of the article which is money, in which case it is a credit currency. If the commodity which is used as money exists in natural units, as when cattle were money, and is measured out in trade by their count, its natural unit will be the unit of the currency in its primary form, and, of necessity, of its secondary or credit form, which simply promises a future delivery of the primary. If the commodity exists in a mass, as in the case of a metal, its monetary unit will be a conventional piece thereof, of a size convenient for use, and of a value convenient for ordinary commercial calculations.

In ascertaining those characteristics of a currency which are

the indubitable marks of the ideal and scientific, we must faithfully follow the leading of the elementary facts of which currency is born and with which it has always to deal, obedient to the moral bond which inheres in them.

Currency of whatever form is purely an instrument of trade. Its primary or money forms have been always and everywhere, whether among peoples the rudest or the most advanced, themselves articles of trade. The use of these articles as money has been but the common recognition of their universal and peculiar desirability as items of commerce. It is their constant and universal appearance as articles of commerce in general demand and of instant acceptance that has suggested and developed their use as money currency.

Therefore, it is from the fundamental and unchanging facts and moralities of trade as one of the primary and constant forms of human intercourse, rooted therefore in moral law, that we must learn the necessary and unchanging characteristics of its currency instruments, and those resultant laws which must shape and govern their conventional and special developments if they are to do their work with best effect and least cost.

Trade is the exchange of commodities: of those things of whatever form or nature which answer human necessity or desire, but which are so conditioned in production and original distribution as to have become individual property in a limited number of hands, and whose relative values find expression in a rate of exchange or price. The multitude and diversities of human want, the differences in human aptitude and capacity, the diversities of condition affecting production, manufacture, and distribution, the differences of soil and climate, the locality of divers materials, the limitations of supply, the sources of mechanical power, the distances and difficulties to be overcome in transportation, the various services needed in all the many incident enterprises and operations, all go to make up the never-changing conditions in which no life worth the living can be lived without the constant exchange of commodities of substance or of service: without, in some wise, each man serving and being served by the man whose need he can serve and who can serve his need in return, though they dwell no matter how far apart.

The prime fact and the whole moral law of trade is this: it is the voluntary exchange of commodities individually owned, in

their respective measures adjusted to an equal value, an equal service, an equal satisfaction. Mutual and equal benefit makes the agreeing mind. No one purposely, in the way of business, gives his property for nothing or for less than its recognized exchangeable value in other property. Equal service for service, equal property for property, equal value for value, is the motive, the end, and the ethical imperative of every legitimate exchange. This fact, this law, must be kept in constant view in the discussion of any item, form, or system of currency; for it is the first test of its quality, and conformity thereto is the only breath of its life.

The methods of commerce are conditioned by one of its most obvious facts: that only to a very limited degree do the demand for, and the supply of, exchangeable commodities meet in point of locality and time. The direct exchange of properties between original owners forms but a small part of the great body of commercial transactions. These are handled by the storekeeper and carrier; their services are two of the indispensable factors of commerce.

Out of this same difficulty and necessary infrequency of direct exchange grew the use of a third indispensable factor: the use of some commodity in such relative demand, of such constant exchangeable value, so easily measured, divided, handled, kept, and carried about, as to serve as a third term or quantity into which all other commodities could be readily and safely exchanged while awaiting their final owner and consumer. This third term is primary currency: money: the commodity by which, as a medium or middle term, all other commodities are indirectly exchanged: the consequent standard in the terms of which their relative values are stated.

The legal relations of money and its credit representatives have always followed far behind its self-originated and self-determined commercial relations. Legislation respecting money has addressed itself to that which the uses of trade had already established as such. It has been useful only in so far as it has frankly recognized the true nature and function of "the money of the merchant," and protected them against fraud. It has wrought mischief whenever it has exceeded this limit of action.

Two facts have unfailingly appeared in the natural selection and successive changes of primary currency or money: it has been the article in widest and most instant demand, for the moment,

within the area of its use, so limited in production as to give it very high relative value, yet in quantity sufficient to make its use practicable; and it has given place wherever it has come into competition with any article possessing all the necessary qualities in a distinctly superior degree. As the area of trade widens, the local use necessarily conforms to the more universal. The superior becomes universal, because it alone is economical in use. When nations using different currencies come into commercial touch, and their peoples are buying from and selling to each other, the superior currency will be the one in terms of which all their several commodities will be rated and measured, though the inferior currencies be still used as local media of exchange. If the currency of *a* is better than the currencies of *c* and *d*, the merchants of *a* will sell at valuations expressed in the terms of their own currency and for its equivalents, and the currencies of *c* and *d* will be correspondingly discounted, and the merchants of *c* and *d* will sell to their home customers at prices fixed in their local currencies to cover the discount: in reality, at prices fixed by the value of the currency of *a*, though not locally expressed in its terms. The best money of the international markets — the money which is subject to discount in none of them and to the least expense in use in all of them — will be the one measure of the values of all their commodities, no matter in how many inferior kinds of discounted money the equalized prices are locally paid by consumers.

Let us summarize the characteristics of an ideal primary currency, or money: it must be a commodity, a thing of actual use and value, else other commodities will not and should not exchange for it; it must be in such universal and instant demand that all other commodities will readily exchange for it; it must be as nearly as possible indestructible and physically unchangeable; it must be easily divisible into convenient quantities; it must be producible in such sufficient quantity and at such cost that its pieces will not be so small as to be inconvenient or unsafe in use; it must not be producible in such large quantity and at such low cost that the size of its pieces, conformed to the moral law of trade, make it inconvenient of handling, bulky, heavy, and costly of transportation; and it must have in the highest attainable degree stability of value; and all these qualities it must possess in such degree and balance that its service as money costs less than that of any other commodity. In a

word, the best money is that which, at the moment, is in every aspect of its use safest, most convenient, most economical, and of the widest use without discount anywhere in the range of its use.

There can be no question that, at the present time, gold possesses these characteristics far beyond any other commodity that has ever been used as money. Nor is there at present known any other metal or commodity of any sort so falling within the necessary conditions as to even suggest its substitution for gold.

The very high proportion of value to bulk which makes gold incomparably economical in use, and therefore the cheapest money, makes it undesirable in any fractions of the unit of our coinage. For such fractional pieces a cheaper commodity, requiring a larger bulk for equal value, is a necessity to the uses of retail trade. For such subsidiary money, silver at present serves the best purpose.

As with all other commodities, either of two events may possibly occur to affect the exchangeable value of the one used as money, so changing the prices of all others rated in its terms, independently of the other and frequent causes of such change: the first, that which has happened in recent years in so marked a degree in the case of silver: such a cheapening in the cost of its production, and such an increase in both its actual and potential supply relatively to the demand, that its exchangeable value should suffer heavy shrinkage, shown in the nominal marking up of prices of other commodities; silver, for example, being worth to-day only about 46 per cent. of its value when its actual commercial ratio to gold was 16 to 1, and its supply being now capable of rapid and indefinite expansion under any stimulus of demand.

The other contingency is such an increase in cost of production, or of demand in excess of supply, as to enhance exchangeable value, shown in a nominal marking down of prices of other commodities.

Neither contingency seems at present to threaten gold. From our present knowledge of its possible supply and of the conditions of its production it is certain to be much less affected by the first contingency than any other commodity of possible use as money; while the world-wide and growing exchange of mercantile credits and the clearing-house operations of the banks

greatly relieve its use as currency. The bank credits of the whole world, representing the productions and manufactures of its different countries in the course of shipment or storage for their exchange, offset against each other by checks and drafts drawn upon each, mainly effect the wholesale exchanges of commodities in a direct manner; and a money currency serves this class of exchanges only in settling its balances and in paying for the services incident to it; and this tends to check an increase of demand for its greater supply.

In exchanges effected by the use of money itself as the currency, the transaction is at once complete. Property of a certain, determinate value has been exchanged for other property of equal and equally certain and determinate value. A property of specific use and limited demand has been ratably exchanged for a property of general use and unlimited demand, itself, therefore, exchangeable at will for any other. The ends of commerce have been accomplished and its moral imperatives obeyed.

But there are multitudes of exchanges which are for longer or shorter periods incomplete. Property of a certain value has passed from the hand of the seller to that of the buyer, or of an intermediary, with only the promise of the buyer to deliver at some future time and place the equally valuable property which is to complete the exchange. If that promise is for the delivery of an article of limited and special use, it may have no interest for the rest of the world. But if it is for the delivery of a property used as money, and the promise is uttered by a person of known probity and of sufficient resources readily convertible into money, it may, among those whose knowledge gives them confidence, pass current in place of the money until its maturity. To the extent it circulates in trade, that promise is credit currency, no matter who utters it, whether it were George Smith in Milwaukee or the Bank of England in London.

And this transaction embodies all the fundamentals of a true credit currency: the promise of a sum of money, uttered by a person, natural or corporate, fully believed to hold the money or other convertible property properly secured to its prompt redemption at the time and place specified, and so made acceptable to those who wish to avoid the present custody of the money itself and yet be secure of it for future use.

In passing, let us note the essential identity of borrowing and

buying on credit. Buying on credit is the purchase of some commodity other than money, for which the buyer agrees to pay money: borrowing is the purchase of money to-day for which the buyer agrees to pay money to-morrow.

One of the false definitions of money put forth to our generation is that it is anything which a debtor can compel a creditor to receive in discharge of the debt: hence, whatever a legal tender statute compels the creditor to receive is, by pure force of law, money.

The obligation of a debt is the promise, express or implied, to deliver to the creditor property of a certain amount or value in exchange for a commodity already had of the creditor by the debtor. As yet, our legal tender acts have ventured only to the extent of enabling the debtor to compel his creditor to receive some one else's promise of the property instead of being himself compelled to deliver it in fulfilment of his own promise.

There are certain limiting things respecting a credit currency which, by our legislative treatment of it for a generation, have been much obscured. A promise to pay money is not money, no matter who utters it nor in what capacity, nor under what compulsion it may be received. It entitles its holder to receive the money it promises; it is a title-deed to undelivered money. But, speaking in the terms of our own currencies, a dollar is not a fiction, nor an idea, nor a symbol, but an actual thing, 25.8 grains of gold; a definite, measured, certified quantity of a most convenient commodity of well-known and instant value in all markets, for which one is therefore willing to give its value in any other property he may desire to sell. That dollar is money. The promise of it is not a dollar, nor is it money. So long as the actual dollar is believed to be really or potentially behind the promise, it may serve as currency, but as a credit currency, worthless without the dollar or the convertible property that will bring the dollar to solve it. It is for the actual dollar promised and for its value, and not for the paper promise of it, that men part with a dollar's worth of other property. Only a credit currency which has behind it the actual property adequate to its redemption, of such character as to be readily convertible into the money it promises, so held as to allow that conversion at the necessary moment, can fulfil the uses and the moralities of trade. Its maturity must infallibly witness the true completion,

however remote in time or place, of the exchange of commodities which was begun when the seller parted with his property on the faith of a promise of other property.

Who, then, can rightfully and properly issue a credit currency? That is, who can issue a paper currency which is not only an evidence of debt, but which, in whatever volume, can be made also certainly to represent adequate property in possession for its payment and to be an evidence and guarantee of that indispensable condition? And this question must be answered in both positive and negative terms. But there can be but one answer: those and those only who have the effective and perfectly secured control of the property which the credit represents and by which it is to be redeemed. A paper currency emitted by any one else would be simply an evidence of debt, and not of property held for its solvency: a debit currency, and not a credit currency.

Dealing with the currency conditions of to-day, we can say, on the negative aspect, that government cannot issue a true credit currency. Government is not in trade. It does not own; it can only borrow. It does not produce, make, buy, or sell, in a commercial sense, any of those properties the exchange of which makes trade with all its industries, and which are produced, owned, and traded in by its citizens alone, and which are the foundations of their credit and the solvent of their debts. Its promise to pay rests for redemption on none of these things. It is a pure debit. It has no resource but its power of taxing its citizens, and that is not trade nor property. It can redeem its promise only by the money it gets by taxation. And when it has laid and collected its tax, and therewith redeemed its promise which was uttered and which circulates as currency, it has thereby extinguished the currency, and can supply it again only by again going in debt, and so endlessly repeating the round of debt and of taxation for its ineffectual redemption. Such a currency possesses no feature of commercial legitimacy; and, erected into a system, possesses no element of legitimate permanency.

A commercially legitimate and completely effective credit currency must be so based that it can be organized into a system as permanent as the trade it serves. It must be so based and organized as to serve always and everywhere within its circuit, at the moment needed and at least cost. To these ends it must

be born of the trade it serves as life blood; it must rest upon the commercial credits of the country, which embody its vast exchangeable wealth in its ceaseless flow through the channels of trade. It must have those credits so perfectly secured to its redemption that nowhere and at no time shall a shadow of doubt arise as to its perfect solvency. Its redemption must be so organized that, when the transactions which furnished the credit and called for the use of the credit currency have been completed, the currency will go at once to be redeemed instead of gravitating to financial centres to be speculatively employed, as does an idle irredeemable currency always. Born of and based on the transactions which call for its use, it would be issued when needed, in the amounts needed, stay out as long as needed, and go home when its work was done: a naturally originated perfectly based, perfectly secured, perfectly flexible, perfectly responsive credit currency.

Such a credit currency can be had without difficulty. Every requisite is abundantly at hand, and every needed safeguard is perfectly known to us. The assets of our banks represent the bulk of the commercial wealth and the commercial credit of the country; these create the banks for their uses; and these are the natural and only true basis of a credit currency. That credit currency the banks should therefore issue; that currency, properly proportioned to their several resources, should be indefeasibly secured by a first lien on their assets, made redeemable in gold only, on demand at their own counters or at their agencies, with convenient redemption offsets between the banks themselves, with a redemption security fund maintained by all to cover contingent losses through insufficiency of assets of insolvent banks, for which experience shows a relatively very small sum would suffice. The whole system must be under strict governmental supervision and control, and comprise only banks acting under federal charters. These are the lines on which alone can be built a true credit currency, politically as well as commercially safe, automatic and instantaneous in operation, always adequate and never excessive, and permanent as trade itself.

These, then, are the characteristics of what would be, under existing commercial conditions, that natural, legitimate, sound, and enduring currency system, to the protection and effectual operation of which all legislation should be directed and con-

fined: it would be a currency system including, first, as its legally recognized money factor, the free coinage of only the best money metal: the best being that which is of most universal acceptance and does its work at least cost. That best money metal is indisputably gold; and it is indisputably the world's standard for measuring all other values; there is no other,— the legally recognized use of all other money metals to be, as their actual use is, as merely subsidiary currency. It would include as its credit factor, not an arbitrary debit currency, redeemable only by and extinguished by taxation, and created and renewable only by the government going always and again in debt, but a credit currency founded on the whole commercial wealth of the country, many thousand-fold greater than the product of any endurable tax, and created, sustained, always being redeemed and always being opportunely renewed by that wealth in its ceaseless flow of exchange and replacement, with that wealth absolutely secured to its certain redemption in the money factor: gold.

6. THE STABILITY OF THE GOLD STANDARD.

BY DR. EDWARD SHERWOOD MEADE, OF THE UNIVERSITY OF PENNSYLVANIA.

[Read Thursday evening, May 10.]

Colonel Greene's paper has raised again that most interesting of all questions in monetary science, the question of an ideal standard of deferred payments. Can such a standard ever be attained, and if, as I think must be admitted, no single standard nor any double standard can ever be perfect, since the constant changes of taste and fashion, of invention and improvement, of population and industry, must always operate to disturb prices, no matter in terms of what standard they may be expressed,— if perfection is unattainable, then does gold offer the nearest approach to perfection? The United States has finally chosen gold as its standard of value. Has the United States chosen wisely?· Is gold the most invariable standard of deferred payments?

If we look to the past thirty years and decide the question on the world's experience with the gold standard during that period, our answer must be in the negative. That standard is the best standard whose value changes least over long periods. So much must be admitted. But, measured by this test, gold has shown itself to be the worst of all standards. Its value has changed more than the value of any other good (excepting perhaps silver), and until 1893 the value of gold had changed more than even the value of silver. The facts are familiar, although usually stated in other terms. Measured by Sauerbeck's index number, gold prices fell from 1873 to 1896, with hardly a break, from 111 to 61, or 45 per cent. Expressed in the terms of this discussion, the value of gold during this period rose 82 per cent. Since 1896 there has been a reaction, and within four years prices have risen in England 15 per cent. and in the United States much higher. The value of no other important commodity, with the exception of silver, has undergone such changes. The evidence which supports this proposition is plain and simple. From 1873 to 1896 the prices of all the great staples fell at about the same rate and to

nearly the same extent. Their relation to each other was not, therefore, materially altered. Since 1896, again, all prices have risen together; and the relations between commodities have been but slightly disturbed, while their relation to gold has been very considerably changed. Therefore, it is safe to affirm that gold has proven a highly unsatisfactory standard of value. Before 1896 it operated to the prejudice of the debtor class, and so injured all classes by disturbing calculations and checking enterprise. Since 1896, on the other hand, the creditor as a receiver of fixed income has been injured. It is true that in the general chorus of hallelujah the voice of thanksgiving has drowned the complaints of the creditor; but it is also true that by the rise of prices every recipient of fixed income, bondholder, pensioner, savings-bank depositor,— in fact, every creditor,— has had the value of his fixed income reduced to the extent that prices have risen. Judged by the prices of 1896, since prices have risen in the United States perhaps thirty per cent., all debts contracted in 1896 are now being paid not in fifty-cent dollars, it is true, but in seventy-cent dollars. We are living in an era of repudiation under cover of law. Men who borrowed money to go into business during the era of low prices are now repaying less value than they received. They received a dollar which would buy twenty-four per cent. more iron, twenty per cent. more wheat and forty-five per cent. more cotton than it will buy to-day. The battle of the standards has apparently been fought in vain. We were saved from silver inflation only to be caught in a gold inflation. Silver has indeed passed off the stage; but it has transmitted its powers of depreciation to gold,— a standard under which both debtors and creditors suffer by turns, whose value first rises and then falls within such wide and irregular limits; a standard under which such disturbances of contracts, such unearned increments accruing first to creditors and then to debtors, are always possible. Such a standard, judged solely by our experience with it, is so far from perfect as to be wholly undesirable.

But another view can be taken. We must consider the past relation to the future, and here we can find much consolation. There is no present occasion to despair of the republic under the gold standard. Nay, more, it is even possible to say, with the author of the interesting paper to which we have just listened, that gold offers, perhaps not now, but certainly in the future, a near approach to an ideal standard of value.

The stability of the gold standard, in last analysis, depends upon the maintenance of a stable relation between the supply of gold and the supply of commodities. Considering gold merely as a commodity,— and, when we talk of its value, it is thus that we must consider it,— the relation of gold to other commodities in respect of value depends upon its relation to them in respect of supply. It may be objected that this statement makes no account of demand as a factor in fixing value. It may be claimed that stability of demand between gold and other commodities is as important as stability of relative supply. This contention is undoubtedly sound. Full allowance, however, is made for the influence of demand in the statement that stability of value depends upon stability of supply. What is demand but another expression of supply? What is the demand for gold but the goods which are offered for gold? When we say that the demand for gold has fallen off we mean that less goods are offering for gold. When the demand for gold is increasing, on the other hand, a pound and a quarter, a yard and a half, a ton and three-quarters are offered for gold in place of a pound, a yard and a ton. What, then, gives rise to changes in the value relation between gold and commodities? Nothing, in last analysis, but changes in relative supply. If the supply of goods increases at a more rapid rate than the supply of gold, more goods are offered for gold, prices fall, the value of gold rises. If the supply of gold and the substitutes for gold increase more rapidly than the supply of goods, then prices rise, the value of gold declines. I may be here met by the objection that goods are not offered for gold, but the substitutes for gold which have just been mentioned, credit, bank-notes and token money. How, then, it may be asked, can the price level depend upon the relation between the supply of gold and the supply of goods? The answer is that all forms of token money and credit depend ultimately upon a gold reserve, and the gold reserve depends upon the supply of gold. The bank cannot increase its loans beyond a certain point without increasing this reserve. The credit it can extend is limited by the amount of cash which it holds,— 25 or 15 or 12½ per cent. of its deposits, as the case may be. Neither can the government safely increase its issue of token money without increasing its reserve of gold. The experience of 1893 shows that this is impossible. All forms of the medium of exchange depend

ultimately upon gold, and cannot be increased, save within narrow limits, unless the gold reserve which forms the basis of the entire system increases also. In this way the money of the world is limited by the gold reserve and the gold reserve is limited by the supply of gold. We are warranted, therefore, in speaking of an increased supply of goods which are offered in exchange as an increase not only in the demand for money and credit, but necessarily also an increase in the demand for gold.

If gold is to serve as an ideal standard of value, the supply of gold must be increased to keep pace with the volume of trade; and the volume of trade is but another expression of the volume of production. If the supply of gold increases less rapidly than the supply of goods, the value of gold must rise, prices must fall. Such was the condition from 1873 to 1896. The production of commodities increased so much more rapidly than the production of gold that the value of gold rose 50 per cent. This rise in the value of gold made gold production the most profitable of all industries. The industrial world rushed into the business of gold mining, and the result has been an increase of 100 per cent. in the production within ten years. This increased production was not due especially to new discoveries. New discoveries are constantly made in all industries. It was not due to invention and improvement. Invention and improvement are everywhere active. The cost of production of every commodity has been greatly diminished. The recent increase in the production of gold was due solely and simply to the rise in the value of gold and the great profits which were held out to the gold-seeker and the investor. It is the same in all industries. Let the value of iron advance, new furnaces are at once erected, new mines are opened. The price of wheat rises. As soon as possible the acreage is increased. Labor and capital are always seeking the most profitable field of employment, and they find it in the production of that commodity whose value is rising. The fall of prices was, then, the underlying cause of the increased gold supply. During the last five years we have witnessed the effect of this increased supply of gold in a remarkable fall in its value, seen in the rise of prices. The production of gold had increased its supply more rapidly than the production of iron, wheat, coal, and cotton. In consequence of this relative increase in the supply of gold, there was an increase in the amount of gold

offered for commodities; and rising prices were the result. Thus we see that these extraordinary fluctuations in the standard of value during the past thirty years,— fluctuations so great that, if they alone must decide the question, we should unhesitatingly condemn the gold standard,— these tremendous oscillations of prices have been merely the result of an attempt to equalize the production of gold with the production of commodities, or rather, let us say, to equalize the profits of the industry of gold mining with the profits of wheat raising, cotton growing, and iron mining. As the value of gold increased, its relative production increased also. As the value of commodities increased, they have gained upon the supply of gold. A fall of prices and a rise of prices have resulted.

It is this process of the equalization of profits between the business of producing the standard of deferred payments and the production of the goods which are exchanged for that standard, this constant transference of labor and capital according as the one or the other line of employment becomes more profitable,— it is this levelling process, which justifies the claim that gold will in the future, much more closely than it has in the past, approximate to the conditions of a perfect standard of deferred payments. The value of gold rose from 1873 to 1896 because the gold industry could not respond to the demands made upon it. Conditions have now entirely changed. So much of the world's productive energy has been turned into gold production that an increased demand can be easily met without any marked change in prices. There is no danger that the gold supply will fail. Gold is a metal similar to all other metals. Its manner of occurrence is the same. Its amount, in relation to other metals, does not change from one country to another. There is as much likelihood that the supply of iron will be exhausted as that the gold supply will prove insufficient. The deposits of West Africa, South America, and Mexico furnish a reserve as yet almost unworked, amply sufficient for future needs. The world has at length, after a long and painful experience with falling prices, reached a condition wherein gold is produced on an equality with iron and coal. All forms of mining industry are now governed by the same laws. Henceforth we need expect no considerable rise in the value of gold which will not be quickly corrected by an increased supply.

Nor, on the other hand, will the prices of commodities rise for long periods. We have had only four years of rising prices, and yet production has increased so rapidly that a downward movement has already begun. The fall in prices which seems to have begun will, in its turn, be quickly corrected by an increased production of gold; and in this way the pendulum of the price movement will swing in an arc which grows narrower as a more perfect equilibrium between gold and commodities is attained. I do not maintain that gold will ever become entirely stable in value. Small fluctuations from one year to another must always occur. But it does seem reasonable to expect that neither gold nor commodities will ever again be able to gain for long periods any decided advantage in value. The future promises a stable level of prices, due to a substantial equality in the conditions of production of gold and commodities. On this account, it is safe to say that the gold standard, since it promises in the near future to become a stable standard, is safe from attack. The "money question" had its origin in the fall of prices. This grievance has now disappeared, and the money question goes with it.

7. PROGRESS TOWARD AN IDEAL CURRENCY.

BY THE HON. MARRIOTT BROSIUS, CHAIRMAN OF THE HOUSE COMMITTEE ON BANKING AND CURRENCY.

[An address delivered Thursday evening, and stenographically reported.]

Mr. Chairman, Ladies and Gentlemen,— It has been said that, next to love and religion, the question of currency has produced more lunatics than any other question. I am inclined to think it is true. In listening to the very able paper which was first presented this evening, I was very much pleased to find in it a very clear strain of sound thought, without any violent criticism of our existing currency system. It is common in scientific discussions of this subject in our day to make very serious animadversions upon our banking system. Some of those criticisms have reminded me of the celebrated criticism of Sydney Smith upon the solar system, when he said to his friend Jeffrey: "Damn the solar system. Bad lights; planets too remote; pestered with comets; miserable contrivance; could make a better myself." Our currency system is not an ideal one, nor does it exist under ideal conditions, nor among an ideal people, though the best to be found on this earth; and we cannot expect to have an ideal monetary system or currency system until we have ideal conditions. I like to see everything in this country of ours as near ideal as is attainable by the kind of people we have in it; and we have pretty nearly that kind of a currency system, but not altogether.

I have a notion to tell you what I think ideal money; that is, ideal for us, under our conditions and our state of civilization and morals, for a monetary system of a people must bear some relation to the morals of the people. If we were all perfectly honest and performed every promise, we probably would not need any real money at all. Herbert Spencer thinks not; for, every promise being performed, every promise would be accepted without hesitation. If, on the other hand, we were a nation of rascals, who never performed a promise, we could not have any other kind of money but real money. Nobody would take it. In view of our state of morals and existing conditions, I will tell you what I think ideal

money is. It is money whose intrinsic or commercial value corresponds with its coinage value and is equal in purchasing power to the money used in the commercial nations with which we deal, or other forms of money convertible at the option of the holder into such value money; and any kind of money or currency that fills the requirements of that definition of ideal money will, I think, be satisfactory. That is the kind of money we have now; that is the kind of currency we have, and we are pretty well supplied. Yet I do not think it is scientifically ideal.

I cannot get up much of a debate with the gentleman who read the first paper, nor, indeed, with the conclusions of the gentleman who read the second paper, though I might, if it was a suitable occasion, have some gayety over some portions of the reasoning which led up to his conclusions; but with the first paper I can have no quarrel, and, if I should undertake to controvert any of the propositions, it would be a little like the debate between the slave and his master, when the former said that his master said that sunshine was good for pumpkins, "and I said so, too, and we 'sputed 'bout it for an hour." That is about all the debate I could get up with my friend on the subject of an ideal currency, unless I chose to cavil a little at a proposition toward the close of his observations about the source of credit money; and what he said upon that is theoretically true, and yet it may be said to be a trifle misleading. For example, the power that issues a credit currency, if I remember correctly his argument,— a currency that is evidence of a debt and at the same time insures perfect and effectual control of the property which that currency is to redeem. Well, if I take a note to bank and have it discounted, the bank is said, theoretically, to hold the title-deed to the property which that note represents; and, if the note had attached to it the bill of lading, it would be true absolutely, but, if the bill of lading is not attached, then the bank has no title to the property which the note represents, and the property affords no security for the payment of that note. There is no security but the personal security of the individual. The man who buys a horse from me, and gives me a note, may sell it to John Smith, and take his note, and John Smith may sell it to John Jones, and take his note, and so on through a dozen transfers; and there may be a dozen notes in the bank at the same time discounted for that one piece of property, while the property itself is security for none of the notes.

Some people advance a theoretical argument that bank-notes are just like the note which I have described, just like a note given by an individual or a check drawn upon a bank; but a bank-note is essentially different in some respects from that kind of paper, because that kind of paper is not money in any sense, but a bank-note is. I do not mean to make any controversy about the definition of money: I use it in a popular sense as money because it passes from hand to hand as money. A bank-note is something whose form is somewhat impressive upon the mind. It is printed on a plate, it is in color and there are portraits on it; and it stands before the mind of the holder as something entirely different from my own promissory note or my check, because a man might well hesitate to take my promissory note or my check, but a man does not hesitate to take that piece of paper printed on plate, in colors and with portraits on it, and bearing something upon it that, as Daniel Webster said, has the odor of nationality. He takes that; and, indeed, he must. He is under the compulsion of circumstances to take it, and it must be a totally different thing from my note or my check, which he is not compelled to take; and we must bear in mind that distinction between a bank-note and the credit paper, with which nine-tenths of all the business of the country is transacted.

Now we are approaching an ideal money. We are nearer it to-day than we have ever been, and probably the next step we take in currency legislation will approach still nearer to an ideal currency. We have landed at last on a gold standard, and we are going to remain there. Nobody has ever contended that gold was a perfectly stable commodity. There is not any such thing on earth. It seems as if the Almighty had never made anything of that sort, so far as we know; and in the early part of the discussion of the gentleman who last entertained us he seemed to advance the idea that it was almost the least stable of all commodities, but perhaps he did not mean to go as far as that. If I were going to examine that question, if I were going to throw out a suggestion, I would have to differ from him somewhat, because I do think that the facts of the case and the history of commodities through all the ages demonstrate beyond the possibility of doubt that, if there is a commodity anywhere in the world that can be said to possess the quality of stability, it is gold, certainly to a greater extent than any other commodity. At all events, we are on

that standard, and will remain there; and our money will be ideal in the sense in which I have described. The basis of our money is now established. All doubts have been removed, all anxiety has been allayed; and the people eat well and sleep well and enjoy good health in contemplation of having the basis of our monetary system at last established.

Now we have a free banking system, which authorizes banks of issue in connection with banks of deposit and discount. They seem to go well together. We need them both. We need a bank currency to supplement our other forms of money; and we need a flexible currency, a currency that possesses what people call elasticity. And I think some one connected with the University of Pennsylvania, or some other student of the subject, might prepare a very interesting paper on the myth of elasticity. It is a subject that I cannot take up now. Of course there is such a quality as elasticity; but of what importance is it, when you think that nine-tenths of all the business transacted in the world is transacted by credit money, which is not money at all, but which is absolutely elastic, as elastic as your suspenders, — there is no end to the stretch. A man makes his money as fast as he wants to use it by drawing his credit paper and by issues of the banks. It is absolutely elastic; and yet some people attach so much importance to elasticity in the little, tiny fraction of money that assists in the transaction of business. Now it don't need all to be elastic. Why, if you go to buy a pair of suspenders, you do not pick out a pair elastic from one end to the other. You take a pair that is elastic at the lower end, and that is sufficient. You do not require any elasticity in the other part of the suspenders: it is not needed. If you have nine-tenths of the currency of the world with which business is carried on as elastic as anything can be, it is not so very important about having the little fraction one-tenth so elastic. And yet I would not carry that too far. The first requisite of a bank-note is safety, and that has been the glory of our banking system.

My friends, I am a great believer in the national banking system, — not that I think it is ideal or perfect, for it is not (and I want to make it perfect just as fast as it is possible to do so), — but it has been unquestionably the best banking system that the intelligence and wisdom of man have ever devised for a country and a people like ours; and the fundamental requisite has been

safety, absolute safety. Out of nearly $2,000,000,000 of bank-note money that has been issued in the last generation, since the banking system was inaugurated, not one dollar has ever been lost by a holder. Now, if there is any other country on earth that has a better banking system than that, I have not read of it; and, having enjoyed that system for over thirty years in this country, I am sure we would be reluctant to see it superseded by one less secure. When you think of that kind of bank currency, you see at once that any sort of State currency or local currency or provincial currency is an anachronism: it is not suited to this age at all. In an age of steam and electricity, when intelligence flies on electric wing and commodities are transported from place to place with a speed and safety only possible to the marvellous instrumentalities of our age, commerce and currency are twin sisters, living and journeying in loving companionship. Where one goes the other must go also; and it must be of equal value and equally current, or it cannot be ideal. The bank-note that stops at the river's brink or about-faces at a State boundary for fear of insult is a ragged tramp, a limping vagabond, that would bring reproach and dishonor upon this grand imperial republic. Our ideal money is a national money, a currency issued by institutions established by authority of the nation and supervised by its authority, as was very well stated in the first paper read this evening,— a national money of equal value and equal currency in every section of the Union; and, if we can introduce into our banking system a little more flexibility, making it a little more sensitive to the touch of business, so that it responds with greater alacrity to the need that comes, and folds itself up with promptitude when the need is passed, then it will be a little nearer ideal currency than it is now. And we hope to come to that,— a credit currency issued by the bank to meet the demand, controlled by no other consideration than the need that presents itself at the moment, and, when the need ceases, retires. We will improve our bank currency in this respect, but we cannot do it all at once. Progress must go by gentle stages. As long as we have so many bonds inviting our bankers to buy them for banking purposes, it does not seem necessary for us to resort to any other mode to make our currency ideal and secure; but the time is not far distant when that means of securing our bank currency will cease to exist to a large extent, and then my friend on the left will help us to devise a scheme which will dispense with a bond security for our

currency, and substitute something that I hope will be equally good and make the currency equally secure, while at the same time it makes it a trifle more sensitive to the demands of trade, and, when that is done, we will have about as ideal a currency as our wisdom or the wisdom of any other people can devise.

IV. DEPARTMENT OF JURISPRUDENCE.

In opening the proceedings of the Jurisprudence Department, Dr. Francis Wayland said: The session of the Department of Jurisprudence will now open. When I see the dimensions of the audience, I am reminded of an anecdote of Hannibal Hamlin, which you may not have heard. There was an important caucus to be held in his town in Maine to nominate candidates to an important convention. It was a rainy evening; and, when the time arrived for calling the meeting to order,— and past the time, in fact, as it is this morning,— there were only two persons present, Mr. Hamlin and a good, honest Congregational deacon. In a few minutes Mr. Hamlin said: "There is no use waiting. Nobody else will be here. I nominate myself as chairman and you as secretary; and now go ahead." Well, they nominated all the candidates; and, when that was done, the secretary said: "Now, Mr. Hamlin, about the report of the proceedings I am to make." "Well," said Hamlin, "take your pencil and paper, and I will dictate," which he did, as follows, "At a large and respectable convention"— "Hold on!" said the deacon. "You can see that there are only two of us present." "Never mind," said Hamlin, "go on as I tell you. You are large, and I am respectable." And so the scruples of the deacon were overcome, and the report was made. Now I can truly say that I am large and you are respectable.

1. THE DOMAIN OF THE WRITTEN LAW.

BY ISAAC FRANKLIN RUSSELL, LL.D., D.C.L., OF
NEW YORK UNIVERSITY LAW SCHOOL.

[Read Friday morning, May 11.]

The end of the century witnesses the expanding domain of the written law. The delegates to the Peace Conference at the Hague have reported in the shape of a treaty what really amounts to a code establishing a judicial procedure in cases of international difference, which has been accepted and ratified by all the nations there represented; the German Empire has put into operation a national code of private jurisprudence; the friends of the Negotiable Instruments Law have secured its enactment in fifteen States of the Union and in the District of Columbia; while the Statutory Revision Commission in New York has this year reported at once, as the result of its labors, no less than eleven codes for enactment by the legislature of that State.

In all ages of legal history we note the sanctity that surrounds written texts. The *lex scripta* has had an unlimited field. The perfect codes of Oriental fable and antiquity, like the mysterious and modern book of Mormon, were written by an unseen and heavenly hand. Archaic jurisprudence is generally written, and generally codified as well; and, in spite of theories to the contrary, the forces that make for progress have not been stayed by laws cast in stereotype. If we are to credit Sir Henry Maine, the motives of the author of the Forged Decretals are revealed in the popular reverence for written law. The opponents of codification can find comfort in the thought that these false decretals, representing, as they did and must have done, the prevailing sentiment in Christendom, had no need of regular enactment to support and vindicate their authority.

The *privilegium*, or statute applicable in a particular instance, has never ceased to operate in the evolution of law. Roman courts were successively established as definite needs for new jurisdiction appeared and crimes unpunished called for new avengers. Bills of attainder and of pains and penalties awarded Eng-

lish justice through legislative act to particular offenders who could not be reached by the ordinary judicial processes. And to-day a vast mass of legislative acts is temporary or administrative, or, perhaps, hides some dark design of politicians to seize power or patronage. Amendments to codes of procedure generally spring from the necessities of individual litigants: the ambition of one bright girl may open the door to all women for admission to the bar; and the romance of one lover may prompt the passage of an act allowing a defendant divorced for his own wrong to marry after five years of exemplary conduct. Legislative bodies, like the British Parliament, have been courts as well (sometimes even in name, as in Massachusetts and Connecticut), granting divorces, dispensing a rude and discretionary justice, exercising general equitable jurisdiction, and perhaps having exclusive competence over an application to move the town pump. The present tendencies of courts to sustain special legislation, notwithstanding constitutional inhibition, are alarming to many a jurist of ability.

The perfection of law is an idle dream of theorists. Did such a perfect code exist, where could it be enforced? What community would adopt it? The Mosaic enactments complacently recognize slavery and polygamy, and allow a husband to repudiate his wife for any cause that renders her distasteful to him, graciously permitting him to write the bill of divorcement himself, and put her away, without invoking the aid of any court or magistrate. How can the Pentateuchal jurisprudence be rationally interpreted, as the original of justice divinely revealed, writ for all time,—or shall we agree with Him who spoke of Moses, saying, "For the hardness of your heart he wrote this commandment"?

And yet how important is the moral element in law! The precepts of the law, says Justinian, are these: to live honorably, not to injure one's neighbor, and to give every man his due. God is in the American Constitution, while the preamble continues to declare that the organic law was ordained to establish justice. The noble theme of Blackstone, the common law of England, is the rule commanding what is right and prohibiting what is wrong. Hooker finds the seat of law in the bosom of God. Montesquieu boldly says, *La Divinité a ses lois.* This, indeed, is the loftiest conception of the human mind, the mystery of our modern faith, that God himself is bound by law, the law of perfect righteousness.

The sceptic even is not far away from us when he sees in the order of the universe the dominion of Him who spake and it was done, who commanded and it stood fast. In this sense, law is not a thing discovered or created by man: it is rather eternal, like the throne of God, whose pillars are truth and justice. The true law-maker, says Mr. James C. Carter, is "a seeker among divine sources for pre-existing truth."

The perfection of law consists in its adaptation to the needs of the society to which it is addressed. If that society be progressive and self-developing, its law must be elastic, expanding to meet new conditions, or it will cease to be the handmaid of commerce and civilization, but will, on the contrary, hamper the progress of the race.

The law merchant best illustrates this proposition. The law merchant is not a finished book, closed and sealed. It is rather a body of mercantile usage, enacted by the trader and banker in the markets and exchanges of the world, and even now in process of change and evolution. It has been said of the new German imperial code that it was enacted by the merchant. So we may say of the present English Bill of Exchange Act that, in form parliamentary, in substance it is the usage of the mercantile community, sanctioned by experience. It was doubtless the Earl of Mansfield who gave substance and symmetry to the English law of negotiable paper through the long period of his chief justiceship by constant and progressive adjudication. His method gave no place to scholastic pedantry, arbitrary dictation, or speculative innovation. His practice was to seek out the leading merchants of London, and ascertain their views and become familiar with their customs. For this purpose he visited their counting-houses and invited them to dine at his home. Just as the English merchant prompted the great chief justice in the rendering of his judgments on commercial questions, so the English merchant was again summoned twenty years ago, nominally and actually, to the great task of framing a statute that should embody the usages of trade in the matter of negotiable instruments.

Centuries of enactments and adjudications have made the literature of the law oppressive in its very physical massiveness. Thousands of special acts make it a vain task to master or even read the output of Congress and the various State legislatures: no one attempts it except under the stimulus of a fee. Some

relief has been obtained by constitutional changes calling for biennial sessions. It is the same thing with adjudications. The multiplication of reports, now numbering tens of thousands of volumes, distresses and bewilders the profession. Lawyers call aloud for some principles by which this mass of learning can be generalized and made familiar and available. Philosophic jurisprudence may exhibit the truths of legal analysis; historical studies may show the influence of race-life on national systems of legislation; hornbooks and elementary treatises may assist the beginner to take a panoramic view of law; digests and tables of cases may guide the advocate in the preparation of his brief through the labyrinths of enactments and adjudications. But actual law remains unknown except to the skilled jurist. Mr. Justice Stephen says that "the only thing that prevents English people from seeing that law is really one of the most interesting and instructive studies in the world is that English lawyers have thrown it into a shape which can only be described as studiously repulsive."

Relief sought through enlarging the domain of the written law is a vulgar rather than a scientific conception. It is allied to the fallacy that legislation is an appropriate and efficient remedy for social ills. The theories of an omnipotent parliament, a benignant paternalism, and a perfect jurisprudence have given encouragement to this error. The arguments against a code have often taken the shape of the Moslem's reasoning that books announcing the truths of the Koran are unnecessary and books contradicting that holy writ are heretical. Still, Sir Frederick Pollock and other stout champions of the code urge that the opportunity should be made available through an authentic codification, to get rid of small absurdities, and remove existing occasions of difficulty which are passed over or evaded by the courts, but which a comprehensive code would have to settle.

The distinction between statutory revision and codification is not always clearly made. Many chapters of the New York Revised Statutes are almost ideal codes. The diminutive idea is found in the etymology of the word "code"; but familiarity with the mammoth proportions of so-called codes has practically obscured this thought. The task of revision is "to reduce statute law into a narrow compass"; while the purpose of the codifier seems to be "to exhibit in compendious and accessible form the law as embodied in judicial decisions," or to effect "the

conversion of unwritten into written law," thus "arranging the law in a concise and orderly form, as in a digest." Some bold attempts have been made, as in the case of the Field Civil Code, to extend the dominion of the statute over the whole territory of private law, in the interest of certainty, precision, and definiteness, orderly arrangement, a form adapted to wide promulgation, and a prospective operation instead of a retroactive effect.

The bitterest opponents of codification admit that a large part of human affairs should be admitted to the dominion of written rules. The ground conceded by each of them severally will altogether include the whole field of law, public and private, civil and criminal, substantive and adjective. The organic law of our nation and of every one of the several States is a written law. How wonderfully has our public constitutional law developed, notwithstanding the written instrument and its fifteen amendments! What amendment was needed when Louisiana was to be purchased, slaves to be emancipated by Presidential proclamation, greenbacks to be issued as legal tender, the electoral college to be reduced to a soulless recording instrument, the third term declared against, and an expanding empire developed? Who is bold enough to urge that our national destinies have not been rapidly advanced in spite of the unyielding letter of our written Constitution? Is even Britain less constrained by constitutional limitations than we? Mr. John Norton Pomeroy, an unrelenting foe of the codifier, will not admit the wisdom of written political constitutions. But is not our Constitution in reality unwritten and self-developing, as Dr. Christopher G. Tiedeman and other jurists have taught us?

Mr. James C. Carter, to whom we of the New York bar cheerfully concede the leadership of the profession, has written most instructively on the province of the written law, which includes with great propriety, according to that eminent jurist, the law of crimes and their punishment. His argument is that certainty results from the written law, while justice follows the law of judicial decision. Further, he contends that codes are the work of despots, while the unwritten law is the outgrowth of popular institutions. When law is written, says Mr. Carter, it is certain, and no question of justice can arise; and it often happens that the advantage of justice at the expense of certainty is the greater, particularly because there is always in a progressive society an advancing standard of justice.

But courts of high authority have sometimes refused to apply the certain and distinct rules of the statute in instances within the very letter of the penal code. For example, Holy Trinity Church in the city of New York engaged the services of the Rev. Dr. E. Walpole Warren, an eminent English divine, as rector, by stipulating in advance of his arrival in New York to reward him with an appropriate salary. This was clearly in contravention of the federal statute making it a penal offence to introduce into the United States any person under contract for the rendering of work, labor, and services. A conviction was had under this statute, and the church corporation was fined one thousand dollars. When the case reached the United States Supreme Court on appeal, a reversal was ordered on the broad ground that the statute was passed to exclude common laborers, and not gentlemen and scholars of the type of Dr. Warren, and on the further ground that Christianity, of which the rector was a faithful minister, is a part of the common law. *Holy Trinity Church* v. *United States*, 143 U. S. 457.

Another grand division of legal doctrine, generally admitted to be appropriately within the bounds of the *lex scripta*, is procedure, or the rules regulating practice and remedy in the courts, though here, perhaps, we find an illustration of the widest application of the principle of codification with results the least satisfactory. The difference between written rules of practice coming from the legislature, on the one hand, and similar written rules formulated by judges of courts, on the other hand, may not seem to the layman to be very great or important. But harsh and unyielding rules of legislative enactment may work great injustice on account of their rigidity, whereas a greater elasticity distinguishes a practice entirely under the control of judges presiding in the courts.

Mr. Carter classifies partnership, corporations, bills and notes, domestic relations, real property with its ownership and transfer and personal property as clearly within the domain of the unwritten law. But within the last five years successful efforts have been made at codifying the law under each of these grand divisions in the State of New York. While no department of mercantile law has been actually developed by legislative intervention, codes not aiming at innovation, but simply adding legislative authority to the product of adjudication, have been found

valuable in promoting uniformity throughout different jurisdictions in a commerce that is continental or world-wide. Strange to say, however, uniformity of legal rules, which all desire, is sought by some through codification, and by others by opposing codification.

It is true enough that law is a science depending on the observation of facts, and not a contrivance invented by legislation. There is an important distinction between discovering rules of justice and formulating them. We can think only in words; or at least, whatever we know we can express in words, or some one can express in words. Language is an imperfect vehicle of expression, it is true; and words used in many a fine shade of meaning run fast to become vague and obsolete. Why should not all law be written? But who can write it? A legislature, it has been said, can no more make a code than it can paint a picture. The Roman *praetor*, an ambitious politician, judge for one year, and on the road to the higher honors of the consulate, was also incompetent to take the initiative in such a grave work. Nor can any help come from the leaders of the bar, whose all-absorbing practice does not afford the leisure necessary for high attainment in the scientific knowledge of the law. The trained jurist is the product of a life study of legal principles. The professors of law in academic institutions of high grade ought indeed to be masters of the science to the cultivation of which they have devoted their lives; but these men, at least on this side of the Atlantic, instead of drafting codes, are busily engaged in historical studies, marking the epochs when leading rules of the unwritten law were announced, and making collections of cases to illustrate the evolution of law through adjudication. To frame a civil code embodying the whole of our private jurisprudence, special masters of each branch of the law would be needed, many years of hard labor would have to be spent, and the cost, according to Mr. Carter, should be at least one million dollars.

Case-law is necessarily incomplete. It furnishes particular instances and concrete analogies, but does not lay down general propositions outside the limits determined by the precise facts in the controversy at bar. An adjudication may involve the decision of future cases exactly like it, if, indeed, any can arise without presenting important points for distinguishment. But uncertainty will always result from the conflicting decisions of co-ordinate tri-

bunals which may stand side by side for many years; and, moreover, dissentient minorities in appellate tribunals may in course of time attain the majority of voices, and then reverse a long-established rule. Many courts, like the United States Supreme Court, do not feel bound even by their own decisions.

Case-law is necessarily fragmentary and unsymmetrical; nor can it be developed in anticipation of urgent needs, but must ever find expression at the cost of a defeated litigant. Ignorance of law excuses no man; and yet case-law is accessible only to the trained jurist. Is it not the paramount duty of the State to promulgate the law, or at least so much as concerns men's ordinary business and duties, among the whole body of the people amenable to its sanctions? A good code will enable one to discover whether a case is really difficult or not; and, after all, the most numerous cases in practice are not difficult, but easy. While it is impossible to make every man his own lawyer, it is possible to put within his reach a clear and exact knowledge of the laws with which he has to do in his daily concerns.

At present there are strong tendencies making toward codification in all great centres of human civilization. We are living in an era of codes. Senseless diversities in legal rules subject jurisprudence as a science and lawyers as a profession to the scorn of sound and rational thinkers. A strong national sentiment always follows the enactment of uniform national laws, as history amply attests. And, as the markets of the world are fast becoming one great market, and the production of great staples is fast becoming a world-circling production, and ethical and juristic principles are being rapidly assimilated through the debates and controversies of the great sovereign powers, may we not hope that jurists will put away as fast as possible the reproach that comes from the diversities, the conflicts, the uncertainties, and the mysteries that now envelop the law?

The Chairman, Dr. Wayland,— Let me say a word by way of comment on the subject of the paper that has been read. In the domain of law, what we suffer from, mainly, is slipshod, careless, even contradictory legislation. What is the process of law-making? Some of you laymen and lay women may not be familiar with it. A legislature comes together. It is the duty of the speaker to appoint a committee on the judiciary, before whom all projects for law come, and by whom they are presented to the legislature. It is customary —it is part of the unwritten law— that the chairman of the judiciary committee shall be the man who, after the speaker, is the most prominent man of the predominant party; and, of course, he is also a member of the bar. No action is taken by this committee, no sessions are held for several weeks, during which time all sorts of schemes for law— personal, political, *quasi*-legal —are poured into the great hopper of the committee. By and by the legislature fixes a limit. No new business shall be brought forward after a certain day. Then the committee has this enormous mass of crude, chaotic legislation with which to deal. In the mean time the party is clamoring for a short session, for the main object of each legislature is to diminish the taxes and shorten the duration of the session. They know perfectly well that the people want to get them out of the way as soon as possible, and they wish to make a good record. Therefore, laws are enacted which already exist on the statute books,—laws are brought forward and accepted which have been again and again repealed, and with reason. Bills pass into law which are contradictory of existing statutes, and which are intrinsically unintelligible, Some of them are offered to serve personal ends, and this occurs from year to year. Of course, at biennial sessions the grievance diminishes in one sense; and, in another sense, it is increased, because the annual demand for legislation is simply doubled if you have biennial sessions. Take a single instance that came under my personal observation not very long ago. A law was enacted to gratify the personal pique of a man who had influence in the legislature; and this law affected a very large number of people. Some of them came to me, and asked me what they had better do. I said: "Pay no attention to it whatever. There is not a court in the United States that can make any sense out of it." They took my advice, and went on as if no law had been passed; and the next year it was repealed. That is only one instance in hundreds.

Now what is the remedy, or what is a partial remedy? This has been suggested. Let a judicial commission be appointed by the governor to hold sessions in different parts of the State during vacation; that is, between sessions of the legislature. Let this commission be composed of eminent lawyers, and be paid what their services are worth, so as not to make it too great a sacrifice for them to leave their professional work and undertake this office. No matter how large the salary, if the purpose is served, it will be a measure of economy, because careless, contradictory, slipshod legislation costs every year hundreds of thousands of dollars. Before that commission let every project of law be brought forward, and argued by the advocates and opponents of such proposed law. Then, to make this statement as brief as possible, let the commission report the laws which they approve, and, if

you please, the laws which they reject, with the reasons for approval and rejection, and with the privilege of explaining their action on the floor of the legislature, without the right to vote. That has been done in two or three cases in Western States, where a committee on constitutional amendments reporting to the legislature were allowed to explain their recommendations on the floor of the house without vote; and it proved to be a most excellent measure. In this way you have an opportunity for deliberate action on proposed laws by the ablest jurists in the State, with the opportunity of presenting to the legislature the grounds for their action; and then, of course, it should be provided that no law which does not come through this channel shall be passed. This recommendation had the unanimous support of the American Bar Association a few years ago, and there it slumbered; and he would be a rash prophet who should predict that it will ever be waked out of its sleep. The evil is a great and growing one.

Dr. McKELWAY. Would that be compatible with the constitutional right of a member of the legislature to introduce any measure he pleased? There is no distinction, I believe, between an act, for instance, authorizing a board of supervisors to build a bridge across a stream and an act to codify the laws of a State.

Dr. WAYLAND. Yes; but such a project might be referred to this committee or it might be voted down.

Dr. McKELWAY. I do not believe that in the States the initiative of lawmaking could, constitutionally, be given to a commission. The commission is a familiar device of the State of New York. Every time a governor has a lot of projects which ought to pass, but which he cannot get through, they are, as a rule, referred to a commission of his own selection for consideration between sessions and for report to a subsequent legislature. Every time a party has propositions with which it does not desire to go before the people, the same course is pursued. Every time a legislature makes a great mistake, under a pressure of interest, and enacts that mistake into a law, a commission is appointed for the purpose of pointing out the blunders of the enacting body. We have a charter revision committee in session in New York at the present time, for the purpose of reporting to the next legislature mistakes which a previous legislature made in enacting a charter for the city of New York. Thus not only does one legislature become the corrective of another, but the commission between legislatures becomes the censor of a preceding legislature and the adviser of an oncoming legislature; and we know very well that the political unit which in one party has control of the majority of the legislature will unite with the political unit that in the other party has control of the minority of the legislature. This fact, as it affects the city of New York, has given opportunity to pluck both the ducks and drakes.

We had a commission in our State to report what we should do with the canals. It reported that it was necessary to spend $62,000,000 to save the Erie Canal from the rapacious grasp of the federal government. That was so astounding and formidable to the tax-payer who plays a larger part in the newspapers than he does at the polls that the politicians on both sides were frightened. So a bill was passed to authorize a committee to resurvey the

canals, and find out whether the report of this commission of experts should or should not be adopted. That tides over the question. We have another commission at work to tell us how we should instruct the legislature in regard to convict labor matters, we have another on railroad matters; and four or five State-made commissions are now at work in our State passing judgment upon the blunders of preceding legislatures and formulating experiments for the consideration of oncoming legislatures.

I do not believe, however, that things are so bad as my statement of the case, unqualified, would suggest, or so bad as the rather pessimistic but extremely interesting statement of Mr. Russell would imply. Legislation by quantity is not appalling when you consider that in the State of New York, with a population of seven millions, the legislature has to be, as it were, the board of supervisors for every one of the 61 counties, a superior common council for every one of the 45 cities, and director-general for the whole State, itself the maker and unmaker of projects of education, of canals, of prisons, of civil service regulations. As a rule, you will find that all that vast body of legislation known as local law is of little consequence to any of the inhabitants of any of the counties except the one in which some particular act is to take effect. The great laws that affect our State as a whole — for instance, the Raines law (so called after the name of the author of the bill), giving to us a State excise policy — receive thorough discussion, the benefit of aggressive advocacy, and the greater benefit of aggressive criticism; and, when the Raines bill was finally adopted and went into effect, it created that State sentiment which now makes it absolutely certain that the principle will never be departed from by whichever party attains power. The party that was in power (the Republican) controlled a majority of the legislature because it controlled a majority of the counties in the State, numerically considered. It often controls less than a majority of the whole votes. That preponderance of control led them to make the Raines law oppressive in one particular, which the opposition party may some time modify. That particular is the requirement that, of the excise funds collected from any one county, one-third shall go into the State treasury and two-thirds shall come back to the local county. Now, in the city of Greater New York, with a population of nearly four millions, which is nearly, if not quite one-half the population of the State, the sequestration of one-third of the excise money by the State treasury at Albany is very beneficial to the 55 counties of the State outside of the 5 counties that are comprehended in the city of New York itself; but the principle of State supervision instead of local supervision will never be abandoned. In the same way the principle of the control of the canals and the prisons by single-headed appointive officers, instead of their control by three officers elected by the people, will never be abandoned. That reform had its initiative in the Democratic party under Governor Tilden. It had its opposition in the Republican party, just as the Raines law had its opposition in the Democratic party. Mr. Tilden's proposition for single-headed control of public works will always prevail in our State. It is in our Constitution; and the State supervision of the excise system, though not in the Constitution, but merely put into law by the Republican party, will never be departed from.

We are not overburdened or oppressed in our State; and, surely, I can say something for New York, since yesterday so much was said for New England and Virginia. We are not overburdened in our State with law. We are not doubtful as to its quality any more than we are anxious as to its quantity; and we do not find that any law which refers to the needs of the State as a whole has been very badly enacted. Our blunders are in local laws. Our blunders are in the endeavor of the legislature at Albany to become an instrument for our rule in New York, to become an instrument for the rule of Erie County, which, largely speaking, is the city of Buffalo, or Monroe County, which, largely speaking, is the city of Rochester; and yet, in defence of State interference with local concerns, this must be said,— the initiative in the counties has either not been with the local authority, or local privilege has been abused until a condition of affairs was created that made legislative interference a necessity. Home rule is good; but it brings in with it the ignorance and the rapacity of rural politicians, the hunger of municipal politicians, the difficulty of even an enlightened governor discriminating between what should be prohibited and what should be permitted. To that difficulty we owe the Davis school law that has just been passed. It should be rectified by the next legislature. No sooner had the governor signed it — and I believe he signed it reluctantly, and I also feel, with all due respect, that he signed it mistakenly — than he said: "This bill is awkwardly and clumsily drawn; and, while I am constrained to give it my approval, I at once recommend a reform of its inequalities and its errors by the Charter Revision Committee that has been appointed." Of course, as I said, that committee can suggest an educational code for the city of New York; but the legislature of the State, according as it may be Republican, or Mr. Platt, or as it may be Democratic, or Mr. Hill or Mr. Croker, will do or will be made to do what they please. Therefore, I believe that suggestion by commission or government by commission, as it has been termed in our State, has, on the whole, been a mistake, and that we ought to be denied for a while the benefits of legislative amelioration, and let the people stew in their own juice until our local committees be reformed, and can not only recommend what should be done, but can effect it. Otherwise, they should be made to suffer the consequences of their own inertia, their own indifference, or their own propensity for activity in wrong directions. But I do not believe that we should voice here the decline of civilization, the decadence of courts, the impotence or the corruption of legislatures; and I believe that the whole trend of government is upward. Certainly, judicial government never had so high a standard of excellence and fairness as it has now. And, while legislative government in a local sense has somewhat deteriorated, on a State scale it has greatly reformed. The percentage of evil men in our State legislature is smaller than it was ten, twenty, thirty years ago; and right here in Washington I am perfectly satisfied — not from the impressions of this present visit, but from a long study, extending over many years — that the contemporary House of Representatives and the contemporary Senate contain abler, better, wiser, more patriotic, more exemplary men than did the "ideal" Houses of the past or the "ideal" Senates

of the past, when they were the largely overrated organs and voices of a less intelligent, of a less instructed, of a less mobile, and of a far less moral constituency than the present houses of Congress represent.

Dr. WAYLAND. It is delightful to old men to hear these optimistic views from the young; but let me say just one thing. You understand, Mr. McKelway, that the laws recommended by this commission are to be examined carefully in the legislature, discussed as much as desired, and passed seriatim, and not in a body.

Mr. MCKELWAY. Yes; but, Mr. Chairman, most men — at any rate, as I hope and believe, most of the public-spirited men — in the city of New York and the State of New York are more desirous of being protected by their legislatures from State commissions than of being protected from their legislatures by State commissions.

Dr. WAYLAND. Then I shall say one thing. A certain wise man said, "There are two things which are incomprehensible in this country,— the politics of New York and the verdicts of petit juries." Now this measure which I have feebly set forth received the appproval of a committee of the American Bar Association, of which William A. Butler was the chairman, and who approved of this as practicable and desirable; but, then, he was older than he once was.

Mr. MCKELWAY. The motives with which commissions suggest the reform of laws are very seriously questioned in some States, at least in the one from which I come. I remember the confession of a very venerable ex-chief judge of the Court of Appeals in the State of New York. He said that some time in the later forties lawyers were suffering from want of clients and of causes, just as now clients sometimes think that they suffer from a superfluity of lawyers. He remarked there was a confidential meeting of some of the leaders of the bar of the State at Albany, to whom he said: "Gentlemen, I think we can recoup ourselves if we keep quiet and have patience. I shall propose to the next legislature an act which will be entitled 'An act to quiet title and insure possession.'" That was passed; and he added that for forty-two years the stream of litigation gushed forth as did the water from the rock in the desert when smitten by the rod of Aaron.

Mr. F. B. SANBORN. Your remarks about the importance of putting the legislature under the direction of a State commission recalled to my mind a good deal of past history. I have seen the growth of State commissions in Massachusetts almost from the primal germ. I was myself a member of one of the earliest and still existing commissions; and I have seen commission after commission established in the State of Massachusetts, until we are now in the condition described by the poet (whose name I forget, but perhaps Mr. McKelway knows),—

> "Greater fleas have little fleas upon their backs to bite 'em,
> And little fleas have lesser fleas, and so *ad infinitum*."

Every commission established has generally been followed by another commission, and sometimes by three commissions; and the work of the legislature is, in my opinion,— and I have watched it for nearly forty years,— not so well done as it was when there were no commissions at all. Now that may

seem an extreme statement; but the explanation of it will be obvious, I think. The effect of creating even a single commission, if you put more than one man upon it, is to divide responsibility; and, when you have about forty commissions, as we have in Massachusetts, I think,—it is impossible to state exactly, without resorting to the records, how many we have at this particular time,—the effect is to divide responsibility much more. They make recommendations to the legislature,—they make conflicting recommendations; and even members of the same commission make conflicting recommendations. The result of that is that the legislature, not wishing to shoulder all the responsibility, and not knowing which of these conflicting opinions to select, either does nothing or does the wrong thing. And we see in the national government at this moment a growth of commissions which, in my opinion, is not only unnecessary and useless, but positively unconstitutional. Attempt is being made to govern the United States, a federated republic, through a body of centralized commissions appointed by the President. There is no warrant in the Constitution for that sort of thing.

But as to your suggestion, with all deference to the American Bar Association, I want to say that experiment, not in a concentrated form by a single commission, but by repeated special commissions, well constituted, has been tried in the State of Massachusetts; and in the majority of cases a carefully investigated subject by a special commission, when presented by it to the legislature, has either been entirely ignored or the recommendations have been negatived. Therefore, in my judgment,—and I am bound to agree with Mr. McKelway,—I do not feel that legislatures, in the States of which I have any knowledge, particularly the States of Massachusetts and New Hampshire, are so troublesome and dangerous as they probably are in Connecticut. We have a good deal of useless legislation. We have some that is absurd. But in practice—I mean in enforcing those laws—the good sense of the community and of our judges prevents any particular hardship, except in cases—and this I want to call to the attention of the gentleman from New York—where legislation is absolutely bought; and those cases are numerous. We have the greatest difficulty in Massachusetts to protect the public interest against a wealthy private interest; and I will give you an example. We have in Boston, with tentacles extending toward all parts of the State, a street railway company, which existed originally under the name of the West End Land Company, disguising its real character by a false name, and which now exists, I think, under the name of the Elevated Railway Company, without a single foot of elevated railway anywhere on its lines, the elevation being of the Irish kind,—depression. They have a subway, but no elevation. That company procured legislative permission to use the subway—which was a public work, not performed at the company's expense, but at the public expense—on condition that it should remove its tracks, which had become a public nuisance, from certain streets of the city of Boston. It was a distinct agreement: there was no doubt about it. The bill would never have passed without it. No sooner had the company got the privilege and had the subway in operation than it came to the legislature for permission to replace the tracks, and the measure went through the legislature. However, it was slightly checked

by the governor, who imposed a condition that the people of the city of Boston should vote on the question whether or not the tracks should be put down. That company, which had subsidized every newspaper in the city of Boston with a single exception, believed it was to carry its point by popular vote. It went to the polls in the fullest confidence that it would have a great majority. Last December, when the vote was taken, the people, without any private interest, but from a public interest, voted the measure down nearly two to one, falsifying the whole conduct of the legislature for the past three years, and showing that our legislatures were as little influenced by public opinion in the city of Boston as by the public opinion of Timbuctoo. Now that is one sample, and it is by no means an exceptional case.

At this moment, Mr. Chairman, two railway leases, supported by numberless millions of capital in various States, are before the legislature; and I am informed that the purchase of votes to suspend or pass those leases — because purchases are made both ways — is now going on, and I suppose that hardly any person in the State believes that either of those leases could be carried if submitted to popular vote by referendum or that they will be carried by any other influence than the hope of money. That being so, it seems to me there is a question of some importance in the analyzing of vast projects by a commission of lawyers, for this reason, Mr. Chairman: every one of these measures, hostile to the public interests and friendly only to syndicated wealth, has in its support a great number, and oftentimes a majority, of the leading lawyers of the city of Boston and the State of Massachusetts. Now, if we do submit all our legislation to persons of this description, I do not believe the people would be any more secure or the public interest any more secure than at present; nor do I see how any law constituting a commission of this kind could prevent any member of the legislature from introducing any bill on any subject.

2. THE LEGAL EDUCATION OF WOMEN.

BY ISABELLA MARY PETTUS, LECTURER IN NEW YORK UNIVERSITY.

[Read Friday morning, May 11.]

In the Spanish Chapel of the old Church of Santa Maria Novella, at Florence, a series of figures is painted by Gaddi, pictorially representing Education, as old Florence defined it.

These figures represent, respectively, Grammar, Rhetoric, Logic, Music, Astronomy, Geometry, Arithmetic, Civil Law, Canon Law, and Theology.

It is easy to see the ascent of the scale from Grammar up to Law: only Theology is placed at a higher point.

In the fresco, St. Thomas Aquinas holds a painted book, inscribed with words from the Book of Wisdom,—

> "I willed, and sense was given unto me.
> I prayed, and the spirit of Wisdome came upon me;
> And I set her before kingdoms and thrones."

"This," says Ruskin, "is the process of all noble education: reward given to faithful volition."

Let us look for one moment at these fine figures which typify Law. Both are of women. Civil Law is garbed in red, "symbolizing power or zeal." She wears a golden circlet, and carries the world in her hand. "Her face is very calm and beautiful." Of her Ruskin says, "She is the Universal Justice of the peaceful relations of men throughout the world: she is also the law of eternal equity, *not* erring statute." With her, to complete the picture, is a beautiful figure of Justinian, the Institutes in his left hand.

Following "the Justice which rules men" comes the Christian Law, "the Equity of humanity." She wears a white mantle and golden robe. She holds a church in her hand. With her is Pope Clement V. Wonderful symbols of the World and the Church! Law, the true force in ruling both, and, to the eternal honor of womanhood, both finding their presentment in her likeness.

To such idealism we owe a debt of gratitude. There has been always, in individual instances, the recognition of woman's capacity

for the great things of life. To the love of fathers for their daughters, and of husbands and brothers, which saw through the conventional regard, the power of greatness in true women's souls, is owing the development of modern life, which says, with John Stuart Mill, that she shall have, what man prizes above all earthly good,— her individual independence, and her right to choose the best gifts.

So, even in mediæval days, learning was hers, did she but choose it. In 1100 Countess Matilda of Tuscany established the chair of jurisprudence in the University of Bologna, and in this hall of learning women received recognition. They were called to important posts, and lectured within the walls of their Alma Mater on law; and their names we are proud to recall on all occasions,— Laura Bassi, Clotilde Tambroni, and the beautiful Novella Calderini, who lectured behind the veil. All received the Doctorate of Laws. In New York University we hang their pictured likenesses in the Law Library, where their sedate faces look on the busy throng of aspirants for legal honors of to-day.

In Spain, from the eighth to the eleventh century, women were judges and jurists, and lectured in Cordova, Granada, and Seville.

Cassandra Felice, in the fifteenth century, was Doctor of Laws at the age of twenty-one. As she conferred the degrees at Padua, she must have been dean or professor of jurisprudence. Time was kind to Cassandra (who was often called the Phœnix), for she lived to the age of one hundred and one years.

In 1335 Novella d' Andrea, beautiful and renowned, was professor of canon law. In ancient Rome, also, women were permitted to appear before the courts; and the intellect of the women of Greece commanded the respect of the great Aristotle himself.

Dr. Hubbell finds in these distinguished women Doctors of Law before the Renaissance the inspiration for Shakespeare's beautiful jurist and judge.

Not only in Continental Europe, but in England also, the history of woman, so monotonous in the main, often broadens out, and she touches the life of the race with power. We recall Queen Eleanor, acting as keeper of the seals, presiding in the Aula Regis, hearing causes; Anne, Countess of Pembroke, sheriff of Westmoreland; and many other instances where women of property held hereditary offices,—namely, high constable, great cham-

berlain, champion of the coronation, clerk of the crown, in the court of King's Bench, regent, and *queen.*

It is conceded these were exceptional women; and yet from the days when Deborah sat as a judge in Israel and Miriam led the triumphant hosts, the course of history has shown that *leadership* sometimes devolves on the woman, as well as on the man, and finds her equal to it.

The president of the Woman's Legal Education Society, New York University, quoting Hollinshed, has reminded us that "women entering on the study of the English law are but re-taking that which belongs to them." The origin of law in England is said to have been a set of Statutes, prepared by one of Britain's early queens. "Alfred the Great, it is claimed, adopted the laws of the queen named *Proba*, or the Just, including trial by jury, the just descent of property, and other statutes." Admitted in England to feudal tenures which gave them some judicial power, women were not primarily, as of course, excluded from a voice in the government as electors, especially in the manor times. Aylesbury tells us of Dorothy Pakington in 1572, lady of the manor, who during her son's minority returned two members to Parliament. In 1628 the parliamentary returns for Gatton, included a woman; and in an ancient case, Catherin *v.* Surry, it was decided that a *feme sole*, if she has a freehold, may vote for members of Parliament, but that, if married, her husband must act for her.

However, except in the Isle of Man, this question now rests on debatable ground, though some form of participation in the public affairs is granted to women of property in many parts of the Old World and in the United States, even in the old and conservative community at the mouth of the Mississippi, where women have not control over their own wages.

In pre-Revolutionary days it is conceded in New Jersey and some other communities, where the word "person" was used in expressing qualifications, women participated even in the Presidential elections, until 1807.

Mistress Margaret Brent acted as executrix of the estate of Leonard Calvert, first lord proprietor and governor of Maryland, and was listened to by the courts as his lordship's attorney, practising in all the courts of the State, and demanding a voice in Colonial affairs.

Abigail Adams, at the close of the last century, also pleaded for a larger liberty for women; and others joined with eloquence in the plea.

A curious link between the old and the new has just been severed. Lady Louisa Tighe, lately deceased, in Woodstock, had a unique position, being the only woman besides the queen, in Great Britain, having the power to pardon criminals, even at the foot of the scaffold. This right she exercised twice a year, by virtue of an hereditary dispensation. She ruled from 1878, the vast and splendid domain of Woodstock, with almost the power of a monarch. Every morning she held court. The people gathered outside her windows, and stated their cases in the same way the subjects of an Oriental King appeal to him. Lady Louisa heard their stories, gave her decisions, and they were unquestioningly obeyed. Once she banished her steward from the realm for the theft of the great Richmond diamond, which he confessed.

In a very learned treatise by M. Ostrogorski, to which I acknowledge a debt of gratitude, he says that "positive law is opposed to the admission of women to political power." In this work, "The Rights of Women," he ably sums up the countries which concede to them, sovereignty, regency, franchise, eligibility to office, and educational and professional rights, and finds that, while the progress of the present day is, as yet, opposed to granting to women political rights, yet,— everywhere her rights to property and to education (*her individual rights*) are freely conceded.

At the dawn of the nineteenth century, no college opened its doors, for social prejudice frowned upon the enfranchisement of women. The days when women filled the chairs of learning in Spain and Italy seemed forgotten, and the German proverb that "one tongue is enough for a woman" tacitly influenced public opinion. To-day we need not argue on the question of the desirability of higher education for a woman. The wide-open doors of colleges and universities have settled that forever. "Woman's sphere," said Dr. Faunce at our alumnæ banquet, "is a real sphere, and not simply a few points on man's sphere."

In correspondence with many of our universities, we find provision for woman's admission to some departments, even when she is excluded from that of law, as in Yale. Princeton is a notable exception to this rule; for "although," as Chancellor MacCracken phrased it, "it is not good for man to be alone, Princeton has been

alone for one hundred and fifty years!" Edinburgh University has just conferred its first degree on a woman, Miss Ormerod, the celebrated entomologist, having been made a Doctor of Laws.

Leaving this brief historical sketch, the question meets us, *Is legal education a benefit to a woman?* Austin Abbott has said: "Some study of the law is of prime importance in the complete education of every human being. The mental discipline, in a thorough study of legal practice, is unequalled. It tends to make the mind more reasonable, consistent, logical, and well balanced, and is as useful to women as to men, whether they apply the knowledge to the practice of law, or to any other vocation."

Almost the last appearance of this great Jurist was at the home of the president of the Woman's Legal Education Society, when he addressed the friends of the Woman's Law Class in New York, and gave his ringing words, heartily and freely, in commendation of their work. Quoting Blackstone's famous words, "Every gentleman should study law," he applied them to every human being, and, like John Stuart Mill, in his noble essay on the "Subjection of Woman," pointed out the gain to the race, which would ensue, when woman's intellect should be trained, as is man's. He explained law as "the rule of Society"; and, sketching woman's hapless condition under the Common Law, he described briefly modern legislation, which has so immeasurably benefited her status, and its effect, especially upon the life and property rights which have lately come to her.

Thus the various Acts which have given to women property rights, power over wages, and power to make wills, have been so many new responsibilities urging them to study to be worthy. The multiplied political clubs, have taught them what they need to know, but the deeper voice of necessity has shut out the din of social pleasure; and woman, as John Stuart Mill prophesied of her, is all the more winning, for growing intellect, and all the more lovable, for high culture and sound common sense. The different position which she holds in this century, was brought about, in part, by her persistent agitation, (for it is said, "If a woman cannot argue, she can reiterate,") but mainly by the noble friendship and championship of the best men of the community. The writer begs, above all things, to recognize that *woman's progress* in the nineteenth century has gone hand in hand *with man's generosity*, and points to the statutes of the Empire State, as witness to the

fact, that *there*, woman has larger power over her property, than has her husband; for she can buy, sell, mortgage, alien, release, and convey her realty free from all control of her husband, while *his* right in these respects is always limited by her dower.

Our able lecturer in New York University, has recently explained "why law schools are crowded"; for law is a liberal education. Every argument which would sustain the position, that a man should *know* the laws he lives under, would equally apply to a woman. Some of the largest estates are held to-day by women heirs; some of the most momentous questions of the modern law concern their status. It is impossible to put woman back into the seclusion of the Pauline period, where her only source of information was "to ask her husband at home." With increased responsibility, as given her by the trend of modern law, she must be taught her position, as woman, as property-holder, as litigant, and as citizen. A man, in his business, must know the laws: a woman, in her environment, is equally under their power, and must therefore know her place in the body politic.

Again, her avocations lead her to-day into the business world. She herself has been the gainer, in independence, in common sense, and in the possession of that sweet sense of independence which, once known, is not easily relinquished; and it is a pleasure to add a tribute here to the gentle dignity with which these young women bear themselves. Woman's work in medicine is acknowledged to be valuable, but opinions differ as to her place in the legal profession. Dr. Russell has said, "As justice and equity know no distinction of sex, so the commonwealth of intellect cannot deny to women the freedom of the city."

What, then, is the standing of woman in legal education to-day? When Oberlin opened its doors to women, a great step was taken; but the law schools were later to welcome her. In 1869 Mrs. Belle Mansfield was admitted in Iowa to practise law, and the same year the University of Iowa invited women students. Chief Justice Austin Adams favored the recognition of woman's ability, and withstood a tide of dissent in doing so. He admitted Mrs. Foster to practice in his court, against the protest of his associates, and lent such influence and encouragement to the cause of liberal education, that women of society in Dubuque entered the Law School, to encourage by their presence the young women students, and give them countenance.

Michigan followed Iowa; and Boston Law School was opened to women in 1872, California in 1873, and Missouri in 1880. Illinois and other States followed; and when, in 1886, the legislature of New York, admitted, by statute, women to practise law, Cornell and New York University provided for them a place to prepare to do so. It was no small change when all this was accomplished, in conservative New York; for there such social revolutions move slowly and reluctantly, and people do not lightly adopt new ways. In the more untrammelled civilizations of the Western States there have been no restrictions on the admission of women to the universities; and many of them are in office, and successful in practice.

What has been the result of this new opportunity, and what are modern women doing in law? It is true that Belgium denied ten years ago to Mlle. Popelin the right to practise law, saying that women had not the leisure nor the aptitude necessary for the struggles and fatigues of the legal profession. On the other hand, France has given to Mlle. Jeanne Chauvan, author of the "Evolution of Woman," recognition at her bar; and Canada has followed with her partial admission, allowing them to be solicitors, attorneys, proctors, and in Ontario and British Columbia barristers. Zürich honored Mrs. Kempin as instructor in law; and in our own city, New York, three women were recently appointed receivers by Justice McLean.

Madame Tel Seno, of Japan, is to-day one of the most influential women of the country, practising her chosen profession, the law, in the land of the Mikado, and devoting her whole life to the education of her sex. India has a Parsee woman lawyer, who has contributed to the welfare of her sisters, who are forbidden by religion and custom to receive legal advice from men.

In the *American Law Review* of August, 1894, an interesting article by Chief Justice Howe, of Wyoming, sums up his experience of women as jurors, and closes with these words: "I have never, in my twenty-five years of constant experience in the courts of the country, seen more faithful, intelligent, and absolutely honest, grand and petit jurors than these."

From the same State, some years before, the *Review* published a letter by Mrs. Esther Morris, the first woman justice of the peace in America, who, writing to a friend, opened her letter with the words, "For our privileges in this State we are indebted

to the generosity of the men of Wyoming." She describes her work in office, and explains that she did not neglect her home duties while an incumbent, adding, "In about thirty civil actions tried before me there has been but one appeal taken, and the judgment was affirmed in the court above."

In Wyoming, also, when admitting Miss Heberd, November, 1899, the first woman to ask admission to that bar, Judge Bramel said, "I believe women ought to have equal rights with men in every branch of study and in the professions, and I believe the day is not far distant when this will be accorded her."

Mrs. Haskell, of Helena, Montana, in 1889 secured the passage of a law by the legislature permitting women to practise law. There many offices are open to them,— service on the school board, county superintendent of schools, and others.

For more than twenty years Miss King has practiced in Wisconsin, and won recognition by her talents. It would be impossible to tell of all here, who are able in their profession.

Mrs. Bradwell, of Illinois, founded the *Legal News*, one of the best law journals published, and one which is carried on, since her death, by her husband. The story of her application for admission to practice law, and her refusal, is well known. The court rested its refusal at first on the ground that "she was a married woman," but finally gave to her womanhood alone the weight of its judicial "No." It is gratifying to know the same court afterward, of its own motion, admitted her to the coveted privilege.

One woman from the same State is practising law in the Klondike, and one is public guardian in Cook County, Chicago, having in her care the estates of more than three hundred orphans. Chicago has also a woman lawyer who is blind. Miss Miller edits the *Forum*.

The experience of Miss Knowles in Maine interests us, as showing the ordinary course of events in this direction namely, that when courts refuse woman's application, then legislatures come to her aid. Chief Justice Peters, who presided at the term of court to which she applied, declined to allow her to be examined, without a prior construction of the law relating to attorneys by the law court, and the case was there reported in 1899; but the legislature convened in January, 1899, and an Act was passed in favor of woman's right, to practise law in Maine. In 1872 Mrs. Nash was admitted in the same State in Washington County, but the

fact seemed to have established no precedent. Many States have a few women lawyers only. Few have more than ten or twelve. New York with about forty, and Illinois with eighty-seven, easily lead.

Women who are not intending to practise law are yet studying for culture, and to comprehend legal advice. The Woman's Law Class of New York University offers to them unparalleled advantages. One of the university's ablest lecturers has charge of the class, and inspires with enthusiasm for legal study all who attend the course. In the ten years since it was founded, over six hundred women have taken the chancellor's certificate conferred on those who successfully pass a strict examination. It has been said of this class, "No other institution in the metropolis is so eloquent a commentary upon social and professional changes." Ten years ago the first step was taken for its inauguration, and at first it was said, the class would never be utilized, by those for whose benefit it was planned. To-day it stands, a successful experiment, endowed by its friends, and accepted as a permanent part of university extension work,— a class which teaches "Outlines of Law," and supplies to women the knowledge which the non-professional woman finds so hard to secure. The lawyers of our city are now sending their stenographers to the Woman's Law Class, and can testify to the usefulness of the work.

A class text-book of great attractiveness has been prepared, but found to be so valuable an addition to the text-books already in use, that it has been adopted not only in New York University Law School, but in many others. It gives, with great acuteness, definite knowledge, and yet suggests the exceptions and variations of the various bodies of law. The "Outlines of Law" is studied with an enthusiastic appreciation, which makes the uninitiated recall the old caution, "Beware of the man with one book." Many of the students of this class have testified to its influence, and its effect in broadening and enlightening their minds. The work is entirely "extension work," leading to no degree; and yet the students have, many of them, here discovered their aptitude for legal study, and about fifteen of its graduates have entered the regular Law School, carrying their enthusiasm into the sterner study of the preparation for the bar. Miss Stanleyetta Titus was the first woman to thus enter the profession, and graduated with distinction, being admitted afterwards (June, 1894), the first woman lawyer in New York State.

Statistics.

Thirty-four States admit women unreservedly to practise law, and wherever there are law schools in those States, with the exception of Yale and Princeton, women may be candidates for degrees. Eighty-seven have been admitted to practice in Illinois, forty in New York, thirty in Iowa, twenty in Massachusetts, twenty-five in Missouri, ten in the District of Columbia, twenty-five in Nebraska, nine in Oregon, "two or three" in Colorado, Kentucky, Nevada, Washington, and Wisconsin, six in Michigan, two in Florida, Idaho, and Connecticut, one in Arizona, Maine, Montana, Utah, North Dakota, Tennessee, and Wyoming. From Pennsylvania the number is uncertain, because there admission is by county, and the number could not be ascertained by inquiry. From California, Kansas, Indiana, and Texas the answer is, "but few."

Virginia, Alabama, Arkansas, Delaware, South Carolina, and Vermont prohibit woman's entrance to their bar.

In Georgia, Louisiana, Maryland, and Rhode Island, "Law is silent,— none have ever applied." Yet Maryland and South Carolina admit them to their law schools.

In Missouri and California, nine have graduated from the law schools, in Illinois and Massachusetts, twenty-five, eight in Wisconsin, twenty in Michigan, sixty-five in New York, about nine in Nebraska, ten in Kansas, fourteen in Iowa, three in Oregon, the same in Washington, four in Pennsylvania, one in Colorado, and from other schools an indefinite number.

So far as we can discover, with exactness, admission was by statute in New York, Iowa, Illinois, Maine, Massachusetts, Montana, Nevada, North Dakota, and New Jersey; by decree of court, in Pennsylvania, Connecticut, New Hampshire, North Carolina, and Wisconsin; "Always," "Never prohibited," in Arizona, California, Colorado, Florida, Kansas, Michigan, Minnesota, Mississippi, Ohio, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

Women admitted to the Bar. State.	Date of admission to practice.	Remarks.	How many have been admitted?	Women admitted to law schools.	Date.	How many have been graduated?
Arizona	since State	since Arizona had existence	1	no		no law department
California	1873	—	few	yes	1893	about 9
Colorado	1891	probably always eligible	3	yes	since 1892	1
Connecticut	—	by counties	2	no		
Dist. of Columbia	1873	3 are in practice	10	—		not in Columbian University since organization
Florida	1845	never prohibited	2	yes		
Idaho	1899	February 3	2			no post-graduates
Indiana	—	number of years	few	yes	some years	only a few
Iowa	1870	ever since 1870	30	yes	1865–68	12 to 15
Kansas	1861	ever since Kansas was a State	not many	yes	—	10
Kentucky	—	within 2 or 3 years	2 or 3			
Illinois	1872	by statute	87	yes	1884–85	25
	1870	by decree				
Maine	1872 & 1899	by statute	1	yes	1898	
Massachusetts	1882	by statute 139	20	yes	1872	25
Michigan	about 1880	always	5 or 6	yes	1869	20
Maryland	—	none have applied	—	yes	—	In Baltimore Law School
Minnesota	—	since adoption of Constitution	9	yes	—	7
Mississippi	—	there is no restriction	none	yes	—	but none have applied
Montana	1889	by statute since a State	1	yes	—	some are soon to be admitted.
Missouri	1865	word "male" omitted	25	yes	1880	9
Nebraska	1880	at least 20 years	25+	yes	always	7 to 10
Nevada	1864	by statute 93	3	—	—	no law school
New Hampshire	2 or 3 years	Judge Doe's decree	—	—	—	no law school
New York	1888	by statute	40+	yes	1890–98	
New Jersey						
North Carolina	1878	—	1	no		
North Dakota	1896	probably by statute	1	yes	1899	new law department
Ohio	—	never a law against it	—	yes	—	1
Oklahoma Ter.	—	no law prohibits	—	—	—	none have ever applied
Oregon	1885	—	9	yes	—	3
Pennsylvania	—	admission by counties	+	yes	—	4
South Carolina	—	—	—	yes	—	in South Carolina College
South Dakota	—	—	—	yes	—	no law school
Tennessee	1897	not eligible as notary	1	yes	—	none have applied
Texas	1836	since organization	few	yes	—	none
Utah	—	always except	1			
Washington	—	never prohibited	3	yes	—	always 2 or 3
West Virginia	—	they are admitted	—	yes	—	in Morgantown University
Wisconsin	1874	—	2	yes	—	same as men, 8
Wyoming	1899	never prohibited, law was silent	1	yes	—	to preparatory law department

Alabama: prohibits.
Arkansas: prohibits. None have attended.
Delaware: prohibits by statute 1900.
Georgia: no law on the subject, and no women who desire to study law.
Louisiana: law is silent.
Maryland: law is silent. None have applied.
Rhode Island: none have been admitted. None have applied.
Vermont: no. No law schools.
Virginia: no. One applied, refused. None have applied.
South Carolina: no. Yes, one who did not graduate.
One in the Klondike.
Some in Canada.

3. SUPPRESSION OF VICE: HOW FAR A PROPER AND EFFICIENT FUNCTION OF POPULAR GOVERNMENT.

BY CHRISTOPHER G. TIEDEMAN, LL.D., OF NEW YORK CITY.

[Read Friday morning, May 11.]

On the 9th of March last the New York *Times*, with bold headlines, proclaiming the "City's Crying Shame," published a four-column article, beginning in the following words: —

"More than $3,095,000 is paid every year by the gambling-house keepers of this city for the protection afforded them by the police and the other powers of the city government. The New York *Times* has facts in its possession which make this an absolute certainty.

"This enormous amount of money is handled by what is known among gamblers as the 'Gambling Commission,' which is composed of a commissioner, who is at the head of one of the city departments, two state senators, and the dictator of the pool-room syndicate of this city, who was before the Mazet Committee, and who is allied to Tammany Hall.

"This so-called commission meets weekly in the apartments of one of its members, not far from Forty-seventh street and Broadway.

"Not a gambling house is running in this city to-day that is not known to this board, and not a place is running that does not pay its tax to this board. Its system is as complete as any branch of the city government. There are no leaks, and no unauthorized place can run for twenty-four hours without either 'putting up' or 'shutting up.'"

These general statements were followed up with an array of details so circumstantially presented that they removed all doubts of the truth of the exposé which the high reputation of the paper had not already dissipated.

Naturally, the good people of New York City were stirred most profoundly by this record of shame; and they demanded the sup-

pression of the evil and the punishment of the bribe-takers and blackmailers. The newspapers for days succeeding teemed with accounts of the gamblers and of the gambling houses of the city. The March grand jury, conspicuous for its high integrity and fearless independence, laid aside all other work, and entered upon the examination of the evil. The police department made a show of activity against the gambling fraternity, and for at least a few days persons with an uncontrollable gambling propensity found it very difficult to indulge their vicious desires. The grand jury brought into court one indictment against a police captain, and a presentment arraigning the district attorney for official inefficiency. This will probably end the matter. It is probably true that now the better-established gambling places are as accessible to their patron as they were prior to the exposé of the New York *Times;* and probably the " Gambling Commission " is collecting its blackmailing taxes of those who desire to engage in the unlawful business.

This is not the first exposure of the political blackmail of the vicious classes with which New York City has been treated. The Lexow Investigating Committee of the legislature, in 1894, proved that the police force of the city was in the habit of blackmailing every class who were engaged in the business of pandering to the vicious propensities of the community.

A storm of popular indignation against the Tammany organization followed, and resulted in the election of a reform city government. But, one year later the people had apparently forgotten their indignation; and the Tammany, or Democratic, candidates for judicial and other offices were elected by overwhelming majorities.

Periodically, crusades are made in New York City against the dissolute women of the metropolis. The houses of ill-fame are closed, and their occupants are punished or are driven away, only to reappear in some other locality, which had heretofore escaped the taint of their presence.

We are so accustomed to governmental and popular efforts to suppress the traffic in intoxicating liquors, and to the complaints of prohibitionists that the laws are not enforced, that nothing but the vigorous activity of an energetic Theodore Roosevelt, in the enforcement of the liquor laws, can challenge more than a passing notice.

New York City is not *sui generis.* It may be true that the great

metropolis of the country develops vice, as well as virtue, on a larger scale than do the smaller cities and towns of the country; but it is certainly true that nowhere, except possibly in some rural hamlet, are the laws for the suppression of vice even approximately enforced.

In no city in the world are life and property better safeguarded than in New York City. Nowhere is the police force more efficient in the pursuit of criminal assailants of other people's rights of person and property, and in the suppression of riots and disorderly demonstrations. And yet the New York *Times*, in the performance of a public duty, is constrained to expose the crying shame of the wholesale police corruption in the sale of indulgences to the vicious classes of the city.

A universal phenomenon is always traceable to a universal cause. What is the universal explanation of the fact that, whereas, in civilized communities, the laws for the suppression and punishment of crime, as distinguishable from vice, are reasonably enforced, the laws for the suppression of vice almost invariably fall into innocuous desuetude?

The laws against crime have not banished crime from the earth. Murders, thefts, violent and fraudulent trespasses upon the rights of others are still committed, even in the most civilized communities, because these laws, like everything of human construction, are defective. But it is nevertheless true that these laws, defective and disappointing in their results as they are, are enforced against the law-breakers; and we hear nowhere of habitual compounding of crime on the part of the police or of any other department of the government. Peculation and bribe-taking by the officials are common enough. But I venture to say that nowhere, in any part of the civilized world, can the common murderer, burglar, or thief, purchase immunity from arrest and punishment, except, possibly, from the injured party, who must appear as a prosecuting witness.

The cause for this difference in the enforcement of the laws against crime proper and of the laws against vice seems to me to lie in the profound difference in the characteristics of crime and of vice.

A crime proper is an *injuria*,— a violation of, or trespass upon, some conceded right of another. When an act violative of some right of another is so infrequent or so easily controlled by private

or individual prosecution that the safety or welfare of society does not require its suppression by public prosecutions, it is called a trespass, or tort. But, wherever the frequency of the trespass or violation of private right leads to the conviction that its suppression can only be successfully accomplished by the interposition of the State in the person of the public prosecutor, the wrongful act is then denominated a crime. The same act may be both a tort and a crime; and with the exception of those crimes which involve only a trespass upon strictly public rights, such as treason, malfeasance in office, and the like, all crimes proper are likewise torts,—at least, in all systems of jurisprudence which are founded upon the English common law. Laying aside the technicalities which furnish the superficial distinction between the two, there is no essential difference between a crime and a tort, except in the remedy. A crime proper, like a tort, is a trespass upon some legally acknowledged right, either public or private; and the trespass is sought to be redressed or punished, and thereby restrained or suppressed, whether the remedy be a criminal prosecution or a private suit.

A vice, on the other hand, is a gratification of one's passions and desires in an immoral way; that is, in violation of the laws of human nature, either because of the excess or of the time or mode and manner of indulgence. The primary wrong is to one's own nature, mental or physical. When we fix our minds upon the nature of vice, we are unconscious of the presence in the acts which we call vices, of any trespass upon the rights of others, as we invariably are when we contemplate the nature of a crime proper, as it has been defined in the present paper. If indulgence in a vice involves the infliction of a secondary or consequential damage upon others, we may be fully conscious of its secondary character; but it does not convey the idea of a trespass upon the rights of those who suffer the damage, although its infliction is admittedly the cause and justification of the effort of governments to punish and suppress the vice.

It is very probably true that the indulgence in any vice will produce this secondary damage to others. No man liveth unto himself; and no man can become addicted to vice of any kind without doing damage to the material and spiritual interests of society, in proportion to his sphere of influence. But, nevertheless, the damage suffered is secondary and remote, and does not connote a

trespass upon any one's legal rights. Indolence on the part of both the rich and the poor is a habit which necessarily inflicts secondary damage upon society, because the indolent do not, as producers, contribute their share to the world's wealth; and, in the case of the indolent poor, society is directly burdened with their support. We may very well conceive of idleness becoming so common as to endanger the public welfare. But the indolent and idle are not guilty of the *crime* of indolence, although they may incidentally commit the crime of public begging. We can only charge them with the *vice* of idleness.

So with intemperance. The man who drinks spirituous liquors to the point of intoxication in the privacy of his own room, but who does not, while in that condition, violate anybody's legal rights,— he pays his debts, he does not do violence to anybody's person or property; he is not thereby incapacitated from performing his legal obligations to any one,— he is guilty of the *vice*, but not of the *crime*, of drunkenness. But if in his intoxication he maltreats or neglects his wife, children, or other legal dependents, or if he inflicts injuries upon another's person or property, or merely offends the public sense of decency and propriety by his appearance in public places in his drunken condition, he has done those things which involve a trespass upon the legal rights of others; and they bring him legitimately within the category of offenders against the criminal law.

So it is with the indulgence in gambling, in the sexual vice, or in any other vice to which human nature is prone. Under special conditions the indulgence may involve a trespass upon another's rights by collateral acts of commission or of omission; but the indulgence in the vice itself does not constitute a crime, because it does not involve any violation of another's legal rights.

If the distinction here made between crime proper and vice was merely a technical matter of legal definition, it would not deserve more than a passing consideration. But it seems to me that it explains the almost complete failure everywhere to enforce the laws which are designed to suppress vice.

The Goddess of Justice is everywhere portrayed as holding in her left hand the scales of justice, and in her right the sword, with which she enforces obedience to her decrees. In her scales, she weighs what,— the relative virtue or vice of the actions of the parties litigant? No, their conflicting legal rights. What or

whom does the goddess typify,— the Omnipotent God or a Power, not ourselves, that makes for righteousness? Not at all. She typifies the prevalent sense of right and wrong of the country in which she holds sway; and her sword typifies the great body of people who are a law unto themselves, whose uniform voluntary habits of right conduct furnish the concrete rules of positive law, and who are insistent upon the conformity of the rebellious minority to their voluntary code of right conduct, because such conformity of the non-conforming minority is deemed essential to the welfare and happiness of the voluntary law-abiding. If a murder or theft is committed, the right arm of the Goddess of Justice is infused with the whole strength of public opinion; and her sword executes the decree of punishment with unerring precision and vigor, because each and every one of the voluntary law-abiding feels instinctively that his or her security is endangered by the commission of the crime of murder or larceny. But, if the offender who is brought before the Goddess of Justice has committed the offence of gambling or of drunkenness, her right arm becomes more or less paralyzed by the withdrawal of public interest in the punishment of the gambler or drunkard; for in neither offence do the voluntary law-abiding majority see any threatened injury to their cherished legal rights.

If A, B, C, or any other respectable citizen, not a member of a society for the prevention of vice, sees the laws against vice violated in some respect,— it may be a game of craps on the sidewalk or the illegal sale of intoxicating liquors,— do you expect him to proclaim the violation of the laws against vice, exert himself to find an officer of the law to arrest the offender, and give personal aid by information or otherwise in the enforcement of the law? The average respectable citizen will do nothing of the kind. He will deplore the prevalence of the vice, he will applaud the rare zeal of a police official in the pursuit of the vicious classes, he will approve of the enactment of still more stringent laws; but he will not lift his hand or go out of his way to bring to punishment the violators of the laws against vice. But, if this average respectable citizen should happen to observe a street urchin taking the handkerchief or purse of a passer-by, the aforesaid respectable citizen would instinctively give the alarm, join in the cry of "Stop, thief!" and, if necessary, aid in his capture. Why this difference in the two cases of breaches of the law? It is because, in the case

of the vice, this respectable citizen is not conscious of any threatened injury to himself or to his rights. He leads a moral life. Sustained and restrained as he is by the decrees of public opinion, he feels strong enough to resist the temptations which the panderers to vice offer; and he leaves the enforcement of the law in such cases to the paid officials. But, in the case of the pickpocket, he is at once alive to the universal as well as to his own personal interest in frustrating the successful commission of the crime; and he instinctively renders aid in the pursuit of the criminal. The average law-abiding citizen does not consider the vicious as enemies of the human race, although he probably looks upon them as undesirable members of society; but he and the vicious unite in proclaiming the murderer and thief to be outlaws of organized society, whose punishment and suppression is essential to the welfare of every man, woman, and child. With the united support of the virtuous and the vicious, the reasonably successful enforcement of the criminal law becomes a probability.

It may be equally true that a law which is designed to suppress a rare or unusual vice, particularly some vice which shocks the universal moral sense beyond the point of endurance, may be as successfully enforced as are the laws against crime proper. But the rarity of the vice in such a case makes the intervention of government unnecessary, because the secondary damage to others from indulgence in a vice, which is the conceded and impelling reason for the intervention of government, can only become of serious moment when the vice has become common, and indulgence in it frequent and general throughout a community. But the shock which the virtuous feel in the commission by another of a rare vice grows less and less as the vice becomes common, until it is reduced to the innocuous form of a painful regret.

> "Vice is a monster of so frightful mien
> As, to be hated, needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace."

This famous saying of Pope is as true in a sense of the body politic or community as it is of the individual man. The common prevalence of a vice dulls the sensibilities, even of the individual virtuous, to the point of complaisant toleration. It is only when a mighty moral force and an aroused public opinion have succeeded,

without the aid of governmental penalties, in lessening the evil that the demands for governmental intervention is seriously or extensively made, in order to hasten its suppression. There is no better or surer sign of a steady and gradual improvement in the morals of a community than the prevalence of public denunciations of an old and established evil and of a general demand for governmental intervention.

If that be true; if to-day the world is very much more virtuous in every way than it was one hundred years ago; if to-day the vicious conceal their indulgence in vices, in order to escape public condemnation which our ancestors did not feel or fear,—why should the government be called upon to move in a matter which is being steadily improved by the moral force of an aroused public opinion? The advocates of governmental intervention, even if they admitted the improvement, would probably reply, In order to promote the good cause more rapidly than can be expected of the moral influence of public opinion, unaided by legal penalties; and they would propose the counter-query, What objection can be raised against legislation for the suppression of vice, even though such legislation should prove abortive, and fail to develop into living law?

The advocates of laws for the suppression of vice labor under the popular delusion that you can by repressive legislation elevate or improve the moral character of a people. When we bear in mind that no statute ever becomes a living law which does more than put into the concrete form of a rule, for the involuntary obedience of the non-conformists of a community, the voluntary moral habits of the overwhelming majority of the people of that community or country, we cannot expect to enforce a law which aims to suppress a vice which is commonly indulged in by a very large body of the citizens. The advocates of such repressive legislation fail to appreciate the truth of the statement that you can no more elevate the moral habits of a community by repressive legislation than you can, by taking thought, add one cubit to your stature.

If the only evil which may be apprehended from the enactment of restrictive and suppressive laws against vice were the disappointment and vexation of the discovery that such laws cannot be reasonably enforced, there might be no serious occasion for objecting to their enactment. But the positive evils, flowing from

such futile legislation, far outweigh the slight positive good that might at times be realized from the part enforcement of such laws, and the negative satisfaction that, by their enactment, the community or country has placed itself on record in condemnation of vice.

In the first place, the existence on the statute books of one law, which is openly resisted and successfully defied or evaded, will break down and destroy the respect and fear of law, which can only be inspired by the successful and vigorous enforcement of a half-dozen laws. Perhaps I may understate the proportionate influence of such opposite juridical experiences. This is no new thought, and I need not dwell upon it.

But, to me, the greater evil, flowing from the enactment of stringent laws for the complete suppression of vice which are not and cannot be enforced — greater, because it does not seem to be popularly and generally understood — is that it is the chief cause of the control of politics by the vicious and lower classes of a community under popular government.

The crying shame, which the New York *Times* has recently exposed, is not so much that gambling, high and low, is rife in New York City, and is indulged in with the most brazen effrontery, as that the people have elected to office some officials so low in character that they dare, under the ægis of the laws for the suppression of vice, to levy blackmail upon the panderers to vice, and to sell indulgences to them for a fixed price, which is emptied into the treasury of the political machine, through which they have secured their election to office.

It is idle to berate the good and virtuous of a community for failing to display the same activity in practical politics as do the vicious classes. The good and the bad, the virtuous and the vicious, display that amount of interest in a political canvass, and no more, to which they are involuntarily impelled by their conceptions of the dangers with which their valued rights of person or of property are threatened by the political issues of the day. The average virtuous citizen, who does not feel the need of any further restraint than that which is imposed by the judgments of his own conscience and the decrees of respectable public opinion, gratifies to the full his interest in the average political canvass, if he goes to the polls and casts his vote for the party of his choice; feeling reasonably sure that, whichever party wins, his valued rights will

not be seriously exposed to the dangers of adverse legislation or mal-administration of the law. But the panderer to vice, as well as those to whose vicious propensities he panders, feel that one of their most cherished desires, the gratification of which to them is a right, is threatened at every election by the selection of officials who will enforce vigorously against them the laws for the suppression of vice. The gambler, the saloon-keeper, and the others who make it their business, for a price or profit, to furnish to others the means of indulgence in some vice, feel that their constitutional right to the unmolested pursuit of happiness is as much invaded by the laws for the supression of vice, as do the substantial law-abiding citizens by the proposals of socialists and communists for the abolition of private property and the nationalization of all industries. Their happiness is as much dependent upon the pursuit of their nefarious trades as is the happiness of the lawyer, physician, merchant, or manufacturer involved in the reasonable opportunity to pursue their respectable callings. They will tell you that the Declaration of Independence does not state that "all *virtuous* men are created equal." The statement is that "all men are created equal"; and it includes the vicious, as well as the virtuous, within the guarantee, which follows, of "the inalienable right to life, liberty, and the pursuit of happiness." No wonder, then, when these panderers to vice are daily threatened with economic extinction by the election of officials who may enforce vigorously against them the existing laws for the suppression of vice, and secure the enactment of still more stringent laws, that they work night and day for the election of candidates who may be confidently expected to close their eyes, for a consideration, to the violations of the laws against vice. The thieves and thugs of society would do the same if their hopeless minority in the body politic did not deprive them of all political power, and the unanimous, all-powerful public opinion did not make them outlaws of society.

As long as the statute books are encumbered by numerous laws against vice,— dead letters though most of them ordinarily are,— we may expect to see the vicious taking a more active interest in politics than do the virtuous and respectable; and so long may we despair of the uniform election of respectable and respected men to the inferior offices. What possible benefit does society gain from the existence of these laws, which is not more than offset by

the pernicious activity of the vicious in the politics of the country? A distinguished bishop of the Episcopal Church, some time ago, provoked considerable criticism and general surprise by declaring that the first step in the purification of American politics is "to take the saloon out of politics." I make bold to extend his declaration, and urge the repeal of all laws against vice which aim to do the impossible thing; namely, to banish vice from the world. Let us obey and submit to the inexorable law of economics, that, wherever there is a demand, there will be a supply, the statutory law to the contrary notwithstanding.

Must we, then, repeal all laws against vice; let vice grow rampant; be flaunted in our faces as we use the thoroughfares and public places; let it crop out and thrive under the very eaves of the houses of respectable and virtuous people? By no means. The vicious do not want to be brought into social and personal contact with the virtuous. They would find intolerable a forced association with the virtuous. They would not feel a law to be irksome which excluded them from parts of a city in which the virtuous abound,— not only because such association would be distasteful to them, but more particularly because trade in such localities would not be active enough. They would not and do not fight vigorously against the enactment and enforcement of laws which exclude them from certain localities and confine them to others. They would welcome, or at least acquiesce readily in, such restrictive legislation, if with it they could acquire a reasonable security that they could, within the permitted areas, ply their nefarious trades without serious molestation.

I know, in advocating such a policy, I am provoking the harsh criticism of those who would call it a wicked bargain with Satan. But I cannot escape from the conviction that, if, as I believe, such a policy would take all the vicious classes out of politics, the resulting purification of politics, and the moral and social elevation of the character of the politicians as a class, would so far outweigh in good to a society, which is based upon universal suffrage, the possible evil which may result from our public confession of inability to suppress vice, that a thinking people, having once adopted and tried such a policy, could not be induced to return to the old, misguided, if not hypocritical, policy of enacting laws which no rational person can expect to see enforced.

4. THE LAW OF OUR NEW POSSESSIONS.

BY THE HON. WILLIAM WIRT HOWE, LL.D., OF NEW ORLEANS.

[Read Friday morning, May 11.]

Two years ago it might have been said in general terms that the comparatively small State of Louisiana was the only part of our country where the Roman law, and its offspring, the modern civil law, were considered as lying at the foundation of Jurisprudence. A Louisiana lawyer would often be asked, "You have the Code Napoléon down there?" and then he would have to explain what we had that was like the French system of law and what we had that was very different.

But "we have changed all that," and have assumed the burden of what we call our new possessions,— held by some kind of tenure or in some sphere of influence, and inhabited by perhaps twelve millions of people, whose municipal law has been largely derived from Roman sources, and demands to be studied — not only in the analytical, but in the historical method.

In order to understand the present condition of law and jurisprudence in our new possessions, it is necessary to begin with the history of Spain. We need not dwell on the early career of the early Greek, Phœnician, and Carthaginian colonies in that peninsula. We may begin with the time of Augustus, and may find Spain highly organized under the Roman system of municipalities, and enjoying for a long time what was called the Roman Peace. The country became highly civilized, and distinguished men like Trajan and Martial were natives of the province. The law was that of the classical period of Rome, as modified by the local situation. It was the law of Gaius, of Ulpian, of Papinian, applied and extended by imperial constitutions.

In the fourth century of our era a great change took place which has left its impress upon the juristic life and thought of both France and Spain, and has in that way influenced the legal history of both French and Spanish colonies. The Visigoths, or West-Goths, came after the fashion of the time, partly as invaders and partly as immigrants who owed in their rude way admiration and

allegiance to the Roman Empire. They obtained possession of the southern part of Gaul and a large portion, at least, of the Spanish peninsula. In the fifth century the Visigothic Kingdom became practically independent of Rome.

Under Euric and Alaric II. in the beginning of the sixth century, a codification was prepared, known sometimes as the Breviary of Alaric II.— a compilation of much importance as a matter of fundamental legal history. It antedated by some years the works of Justinian, and in this respect alone possesses considerable interest. But, furthermore, it was prepared in pursuance of the principle of "personal laws" for the use of Roman subjects of this West-Gothic Kingdom. It contained sixteen books of the Theodosian Code, a collection of Novells, or new imperial constitutions, of more recent date; the Institutes of Gaius, compressed into two books, and sometimes called the Gothic Epitome of Gaius; some Sententiae, or opinions, of Paul; some portions of the Gregorian and Hermogenian Codes; and, finally, one passage from the writings of Papinian. In this way, amid the many chances and changes of this turbulent epoch, many of the best portions of the classical law of Rome were preserved; and the Breviary of Alaric II. became Roman law for Western Europe, at least until the revival of legal studies in the twelfth century, when, as Professor Sohm has remarked, "the Corpus Juris of the German king was destroyed by the Corpus Juris of the Emperor of Byzantium."

In the seventh century, the Spanish Code, known as the Fuero Juzgo, was promulgated. The name is significant as indicating, perhaps, the formation of the Spanish language. It is a contraction of Fuero do los Jueces, which in turn is a modification of the words Forum Judicum. We might translate Fuero Juzgo, therefore, as a guide or code for the judges, or, to use more general terms, as a system of jurisprudence. Opinions very widely differ as to the merits of this work, but it certainly presents an interesting amalgamation of Roman law with Gothic or Teutonic customs.

Passing over some other compilations, we find it probable that the jurisconsults of Spain in the twelfth and thirteenth centuries began to take part in the general revival of legal studies which had become so extensive in Italy, France, and England. In the year 1255, Alphonso the Learned, the king of Castile and Leon, promulgated the Fuero Real, a treatise upon law which may be considered to bear the same relation to the legal system of Spain, at

that time, that the Institutes of Justinian bear to the Digest of that emperor. This work was really preparatory to the framing and promulgation of the Siete Partidas, one of the most important and interesting codes that has ever been published in the course of legal development. This was finally promulgated in the year 1348, in the reign of Alphonso II. It is divided into seven parts as its name implies, this division possibly being an intimation of the seven parts of the Digest of Justinian, and having, perhaps, some reference to the supposed sacred character of that number. The Partidas are still worthy of careful study, since they are fundamental in the law of Spain and her colonies. When the French colony known as Louisiana was ceded to Spain, in 1763, the code known as the Partidas was introduced, and became really a large part of the fundamental law of that vast domain. Portions of it were translated into French for the benefit of the inhabitants. Some of its provisions remained as a part of the law of the State of Louisiana, and are referred to in the decisions of her Supreme Court. A translation of the principal portions of the work into English was made by Messrs. Moreau-Lislet and Carleton, and published in 1820, with an introduction giving an account of Spanish law as then existing.

We may mention, in passing, a code called the Nueva Recopilacion, promulgated in the time of Philip II., and the Novissima Recopilacion, adopted in 1805, in the reign of Charles IV. Nor should the celebrated code of maritime laws called by the Spanish El Consulado, and generally referred to in our law books as the Consolato del Mare, be forgotten. This remarkable compilation, made by order of the magistrates of Barcelona in the thirteenth century, is really fundamental in commercial and nautical affairs, and has obtained a great authority in the modern civilized world by its intrinsic merits.

We may merely notice, in passing, also the Code of Commerce adopted in Spain in 1829, and may then take up the much more recent codifications which are to-day the law of what we call our new possessions.

It is understood that as early as 1850 there were persistent efforts made in Spain to revise and codify her laws; but the final adoption of such codes was greatly delayed by the fact that in the various provinces the local fueros, charters, and customs were highly esteemed and jealously guarded. There was not the oppor-

tunity to sweep them away that was found in France with her Revolution and her Consulate, and the new codes were only finally adopted after a long delay and with a large reservation of local rights and customs. These reservations, however, would not, I suppose, affect their force in the colonies; and, so far as our new possessions are concerned, I assume that the provisions of these codes are generally obligatory.

Taking up these modern codes, their consideration may be arranged in chronological order as follows: the Code of Procedure of 1881; the Code of Commerce of 1886; the Civil Code of Law of 1889; and the Hypothecary Code, concerning mortgages, privileges, and their inscription, extended to the islands in 1893.

The Code of Procedure of 1881, which is in force in our new possessions, represents the Roman practice under the later empire, and is, in theory, the method of procedure which underlies admiralty and equity practice and what we call the Reformed Code Procedure of the present day. It falls into two general divisions, the one concerning the "contentious jurisdiction," where parties are suing each other contradictorily, and the other concerning the "voluntary jurisdiction," where a party goes into court generally in an *ex parte* way, as, for example, to open a succession, to probate a will, or to appoint a tutor. The pleadings follow the theory of the time of Justinian, and may be substantially stated as a petition by plaintiff and an exception or answer by defendant.

The Code of Commerce of 1886, which likewise prevails in our new possessions, contains four books; the first treating of commerce and commercial people in general; the second concerning contracts which are especially commercial in their character, including mercantile companies, banks, and railways; the third treating of maritime commerce and the law of shipping; and the fourth making provisions in regard to respites and insolvencies, and prescription or limitations in commercial matters.

The Civil Code of 1889, which is, of course, a code of private law, is an interesting and important work. It is understood that Mr. Alonzo Martinez, one of the most distinguished of Spanish jurists, was one of its compilers. Its general plan is not unlike that of the Code Napoléon and the other European codes of a similar character, as well as the civil codes of Lower Canada, Louisiana, and Mexico. It follows the division suggested by

Gaius in the second century, when he declares that all jurisprudence concerns persons, things, and actions. The subject of actions, or the remedies by which persons may vindicate their rights to things, is, of course, left to the Code of Procedure; and, in general terms, the Civil Code, therefore, treats of persons who may acquire rights in things or property, of things or property in which such rights may be acquired, and, finally, of obligations by the effect of which the property in things is often gained or lost.

This Civil Code likewise contains four books. The preliminary title treats of laws and their effect and application. The first book contains twelve titles, treating of the law of persons, whether as citizens or foreigners, as natural or judicial, as present or absent, with detailed provisions in regard to the relation of husband and wife, parent and child, tutor and minor; and general rules in regard to civil status and its proof.

The second book is divided into eight titles, and treats of things,— that is to say, of property, ownership and its modifications,— and considers the subject of property as either immovable or movable, as public or private, as subject to ownership, either perfect or imperfect, and to the right of eminent domain, and lays down the rules in regard to its acquisition by accession, by possession, and by invention, and concludes with the statement of the law in regard to servitudes, whether personal in their character, as usufruct, use, and habitation, or real servitudes or easements springing from the legal or conventional relation of different estates to each other. Rules are also given as to the recording of documents which concern immovable property and real rights.

The third book, containing three titles, embraces the different methods of acquiring property or ownership by occupation, donation, and succession.

The fourth book, containing eighteen titles, treats of obligations, and is an interesting treatise upon that important subject, as it presents itself to the mind of the jurist in the latter part of the nineteenth century. It declares that every obligation consists in giving, doing or not doing something; and it recognizes that all legal obligations arise either from contract, from quasi-contract, from offence or active tort, from quasi-offence, or negligence, and, finally, in some cases, from an arbitrary provision of law. The different kinds of obligations are discussed,— whether conditional or

unconditional, divisible or indivisible, several, conjoint, or solidary. It then takes up the subject of the extinction of obligations, and states that they may be extinguished by payment or fulfilment, by the loss of the thing due in certain cases, by the voluntary remission of the debt, by confusion or merger of the rights of creditor and debtor, by compensation, or what we might call set-off, and by novation. It then proceeds to take up the subject of contracts as one of the principal sources of obligations,— the validity of contracts, the consent of contracting parties, the object of contracts and their cause, their interpretation, rescission, and nullity. The writers then proceed to discuss specific contracts, as those of marriage, dowry, and the community of goods existing between husband and wife; and then the contracts of sale, exchange, letting, and hiring; rent and emphyteusis, partnership, mandate, loan, deposit, aleatory contracts, such as insurance, compromise or transaction, suretyship, pledge, and hypothecation.

They then proceed to lay down the rules in regard to obligations arising in the absence of agreement: firstly, from quasi-contracts in which obligations arise from certain lawful acts in the absence of an agreement; and, secondly, from offences or quasi-offences where obligations arise from unlawful acts, whether from active tort or passive negligence.

The remainder of the work is devoted to dispositions in regard to insolvency and the classification of debtors and creditors as concerns their rights, privileges, and preferences; and, finally, to the subject of prescription or limitations, considered, firstly, with reference to the prescription or lapse of time by which property and rights may be acquired, and, secondly, the lapse of time by which rights of action are barred or prescribed.

The style of the work is very concise and accurate. M. Levé, a French judge, writing in 1890, declares it to be a more scientific book than the Code Napoléon. Of course, its compilers had the advantage of about a hundred years of discussion and commentary in Continental Europe on these subjects, to say nothing of similar work that had been done in the two Americas.

There is a supplemental provision of this Spanish Code of 1889 which appears to be interesting and important, and which reads as follows: —

1. The president of the Supreme Court and the presidents of the tribunals of appeal will send to the Minister of Justice at the

end of each year a report of the matters which have been submitted to them in civil cases; and they will point out the defects and difficulties which the application of this Code may have revealed to them. They will indicate with detail the controverted questions and points of law as well as the articles or omissions of this Code which have caused doubt to spring up in the courts.

2. The Minister of Justice will transmit these reports and a copy of the civil statistics of the same year to the general commission of codification.

3. After having taken cognizance of these documents, and of the progress realized in other countries which may be taken advantage of in our own, and of the jurisprudence of the Supreme Court, the commission of codification will formulate and address to the Government every ten years a plan of such reforms as it may think proper to propose.

We need not dwell upon the code of Hypothecary Law, which appears to have been enacted in Spain in 1871, and extended to the islands in 1893. It contains an elaborate codification of the law in regard to mortgages of different kinds, whether conventional or legal, and the method of recording them in such a way as to notify third persons of their existence.

After this somewhat dry statement in regard to the history of Spanish law and its extension to the islands which we now possess as objects either of our ownership or protection, it may seem useful to inquire, in the interest of social science, as to the future of jurisprudence in Porto Rico, Cuba, and the Philippines. It may be that the example of the Louisiana purchase of 1803 may throw some light upon this interesting subject. For more than thirty years before that purchase the vast domain called Louisiana had been a Spanish colony. It is true that in the early history of the French settlement the laws and ordinances of France and the "Custom of Paris" had been extended to it; but the difference between the law of France and the law of Spain, when applied to colonial conditions, was not great enough to make any especial solution of continuity. When the Spanish took actual possession in 1769, Governor O'Reilly published some rules of practice and some elementary dispositions in regard to crimes and testaments; but, as Judge Martin remarks in his history, the transition from the jurisprudence of France to that of Spain was not perceived before it became complete, and little inconvenience resulted from it because the Spanish and the French laws came, to a large degree, from the same sources.

The net result was that, when we acquired the Louisiana Purchase in 1803, its laws and jurisprudence were quite similiar to those that now prevail in Porto Rico, Cuba, and the Philippines; and the question naturally arose as to what should be done. It was considered that no State carved out of this purchase should ever be admitted to the Union with a Spanish system of jurisprudence in criminal matters. The newly acquired territory was divided into two parts by act of Congress, the one, called the Territory of Orleans, embracing nearly the same area as the present State of Louisiana, and the rest of the purchase being erected into the District of Louisiana. The latter having few inhabitants, and being settled by emigrants from the common-law States, adopted the common law in the natural and normal way. But the Territory of Orleans had a considerable population which had been living for nearly a century under a system of private law in civil matters derived from France and Spain. The government of the United States acted very wisely in not undertaking to change the system in civil matters which had thus become interwoven with the social life of the people. It was only in criminal matters that, by the legislation of 1805, the common law of England was adopted as a basis of definition and practice in criminal cases. The law in civil matters remained unchanged, and was left to its natural development.

It is submitted that a similar course should be followed with reference to Porto Rico and the Philippines as well as with reference to Cuba, if we are to have anything to say in regard to that Pearl of the Antilles. It is quite likely that some modification ought to be made in regard to the definition of crimes and offences and the methods of criminal procedure; but, so far as private law in civil matters is concerned, there is no better system than that represented by the Spanish codes which I have attempted to describe.

No doubt, in past years, in the administration of justice in these islands, there has been a good deal of malfeasance. But such malfeasance should not distract our attention from the scientific value of these codes. The best law may be badly administered, and may thus become an engine of abuse; but, when we have good laws, honestly and intelligently administered, then we have an ideal condition of jurisprudence. Let us hope, then, that no effort will be made to disturb the general system of law in our new possessions so far as it concerns civil matters.

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